



CMP(MD). No.8065 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Twenty Fifth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CMP(MD). No.8065 of 2022
in
C.R.P.(MD).No.571 of 2020

M/s.Tamil Nadu Small Industries Development
Corporation Ltd.
Rep. by its Branch Manager,
SIDCO Industrial Estate
Ariyamangalam, Tiruchirappalli-620 010.

... Petitioner/Petitioner

Vs

R. Krishnamurtii

... Respondent/Respondent

Prayer :-

This Petition filed under section 151 of Code of C.P.C directing the petitioner to deposit a Sum of Rs.200000 (Rupees Two Lakhs Only) into the credit of E.P.No.218/2014 in O.S.No.168/1989 on the file of the II Additional Subordinate Judge, Tiruchirappalli.

Prayer in CRP(MD). 571/ 2020 :

This Civil Revision Petition filed under Article 227 of the Constitution of India to



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strike out the petition in E.P No.218 of 2014 in OS No.168 of 1989 on the file of the II Additional Subordinate Court, Tiruchirapalli.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.R.Shankar Murali, Advocate for the Petitioner and of Thiru.R.Krishnamurthi, Respondent appeared in person, this Court made the following order:

The above petition has been filed seeking a direction to deposit a sum of Rs.2,00,000/- into the credit of E.P.No.218 of 2014 in O.S.No.168 of 1989 on the file of the II Additional Subordinate Judge, Tiruchirappalli.

2. Heard the learned counsel appearing for the petitioner and the respondent, who appeared in person.

3. It is not in dispute that while this Court allowing the revision in C.R.P.(MD) No.571 of 2020 directed the petitioner herein to pay cost of Rs.2,00,000/- to the respondent herein within a period of four weeks from the date of receipt of a copy of that order and the respondent was permitted to withdraw the amount.

4. The learned counsel appearing for the petitioner would submit that subsequent to that order, the respondent has preferred a SLP and the same came to



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be dismissed, that they have sent a registered letter along with DD in June-2022 and again in July-2022 but the same came to be returned and that thereafter the petitioner is constrained to file the present petition seeking direction to deposit the amount. He would further submit that the petition was posted before this Bench on 10.10.2022 and in pursuance of the direction of this Court to take notice to the respondent, notice was taken to the respondent.

5. The respondent would submit that he has received the notice in CMP on 13.10.2022 and the petitioner has managed to get the return of the registered letters and the same was not intimated to him, that there is a delay of 3 years for paying the amount and that therefore the petitioner may be directed to pay the amount along with interest.

6. But the fact remains, the petitioner has filed the present petition on 03.08.2022 itself and when the same was placed before the then portfolio Judge, the learned Judge directed the Registry to place the matter before this Bench and in pursuance of the same, the matter stand posted before this Bench on 10.10.2022.

7. Considering the pendency of the petition before this Court, the request of



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the respondent to award interest for this period cannot be accepted. The respondent has filed a counter statement giving the account particulars for sending the amount through NEFT by the petitioner.

8. Considering the above and also taking note of the request made by the respondent, the petitioner is directed to send the amount of Rs.2,00,000/- (Rupees Two Lakhs only) to the bank account of the respondent shown in the counter through NEFT within a period of three days from today.

9. With the above direction, this Civil Miscellaneous Petition is disposed of .

Sd/-

Assistant Registrar(CO)

// True Copy //

25/11/2024

Sub Assistant Registrar
(CS- I, II, III, IV)

csm

TO

The II Additional Subordinate Judge, Tiruchirappalli



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Copy to:

The Branch Manager,
Tamil Nadu Small Industries Development
Corporation Ltd.
SIDCO Industrial Estate
Ariyamangalam, Tiruchirappalli-620 010

+1 CC to M/s.K.S.SANKAR MURALI, Advocate (SR-14509[I] dated 26/11/2024)

ORDER DATED : 25/11/2024

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ORDER

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in

C.R.P.(MD).No.571 of 2020

Giving direction and etc.

as stated within.

RD(25/11/2024) 5P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.