



CRP.No.508 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRP.No.508 of 2025
and CMP.No.2883 of 2025

Ramesh

... Petitioner

Versus

Vaidthayalingam

... Respondent

PRAYER : Petition filed under Section 115 of Code of Civil Procedure, to set aside the fair and decretal order dated 14.11.2024 made in I.A.No.43 of 2022 in O.S.No.107 of 2016 on the file of the I Additional Subordinate Judge, Villupuram.

For Petitioner : Mr.A.Gowthaman

For Respondent : Mr.N.Vijayakumar

ORDER

This petition has been filed seeking to set aside the order dated 14.11.2024 made in I.A.No.43 of 2022 in O.S.No.107 of 2016 on the file of the I Additional Subordinate Judge, Villupuram.

2. The petitioner has filed a Joint memo of compromise, wherein, it is stated that the petitioner has agreed to pay a sum of Rs.6 lakhs to the respondent as full and final settlement.

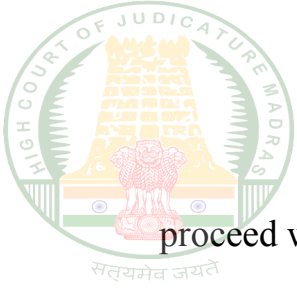


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3. It is stated that by the learned counsel for the petitioner that as per the earlier undertaken given before this Court, the petitioner could not pay that amount of Rs.1,05,000/- immediately, due to his illness and he has paid Rs.1,05,000/- yesterday. As of now, the petitioner has paid a sum of Rs.1,35,000/- and agreed to pay Rs.65,000/- by way of bank transfer today. The remaining Rs.4 lakhs will be paid within a period of 60 days, the first instalment of Rs.2 lakhs will be paid on or before 24.07.2025 and the remaining Rs.2 lakhs will be paid on or before 24.08.2025.

4. Though the petitioner has styled the joint memo of compromise, the respondent has not signed, whereas, the petitioner alone has signed. Therefore, this Court is inclined to take this joint memo of compromise as undertaking affidavit given by the petitioner before this Court. It is made clear that in the event of failure of payment to the respondent as agreed by the petitioner, it will carry interest @ 10% p.a., till the date of realisation from 24.08.2025. Further if the petitioner commits any violation in vacating the premises on or before 24.08.2025, the petitioner will be proceeded for contempt of Court and the Executing Court may



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proceed with execution. Till 24.08.2025, sale shall be postponed.

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5. Accordingly, this Civil Revision Petition stands disposed of. No costs.

Consequently, connected miscellaneous petition stands closed.

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Internet: Yes/No
dhk

To

1. The Additional Subordinate Judge, Villupuram
2. The Section Officer
VR Section, Madras High Court



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N. SATHISH KUMAR, J.

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