



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24-04-2025**

CORAM

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CMP NO. 8115 of 2025

AND CRP NO. 4613 OF 2013

K.Senthil Raj
No.12/12A, 3rd Street, Narasingapuram, Maduvankarai,
Guindy, Chennai-600032 and 2 Others

Petitioner(s)

Vs

V.ARUMUGAM (Died) 1. Rathinammal
W/o.Late V.Arumugam, No.14/29, 3rd Street,
Narasingapuram, Maduvankarai, Guindy, Chennai-
600032 and 4 Others

Respondent(s)

For Petitioner(s):

Mr.A.Ansar

ORDER

This petition has been filed to grant extension of time for handing over the demand draft for a sum of Rs.25,000/- to the respondent as per earlier conditional order passed by this court in C.R.P.(N.P.D No.4613 of 2013 dated 27.07.2017 for a period from 27.07.2017 to till date.



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2. This Court while allowing CRP.No.4316 of 2013 had directed the petitioner/defendant to pay a sum of Rs.25,000/- to the respondent/plaintiff or his

counsel within a period of four weeks from the date of receipt of copy of the order.

However, the petitioner had not complied with the order. Subsequently, he filed a petition in C.M.P.No.29199 of 2024 to condone the delay and the same was ordered on 20.03.2025. Thereafter, finding certain discrepancies in the cause title, the petitioner had filed C.M.P.No.6140 of 2025 seeking for amendment of cause title and it was also ordered on 20.03.2005.

3. C.M.P.No.8115 of 2025 has been filed by the petitioner to grant extension of time for handing over the demand draft for a sum of Rs.25,000/- to the respondent/plaintiff.

4. Learned counsel for the petitioner would submit that there had been some miscommunication between the earlier counsel and the petitioner and thereby, there had been a delay in complying with the order of this Court in C.R.P.No.4613 of 2013 dated 27.07.2017. But, the learned counsel for the respondent/plaintiff had refused to accept the Demand Draft for the inordinate delay.



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5. Learned counsel for the petitioner would submit that in order to compensate the inconvenience caused to the respondent/plaintiff, the petitioner had come out with an additional amount of Rs.25,000/- and he is ready to pay a sum of Rs.50,000/- (Rupees fifty thousand only) as costs to the respondent/plaintiff and thereby he would seek for allowing the petition.

6. Learned counsel for the respondent has no objection for allowing the petitioner and he is ready to accept the Demand Draft for a sum of Rs.50,000/-.

7. In view of the above, the Demand Draft is also handed over to the respondent/plaintiff and the same is acknowledged by the learned counsel for the respondent/plaintiff. Hence, the time granted by this Court in CRP.No.4316 of 2013 dated 27.07.2017 is extended.

8. Accordingly, C.M.P.No.8115 of 2025 is ordered. The order and decree passed in I.A.No.1572 of 2013 in O.S.No.4141 of 2010 dated 10.07.2013 on the file of VIII Assistant Judge, City Civil Court, Chennai is hereby set aside. The parties are directed to appear before the Trial Court on 06.06.2025. The Trial Court shall take



every endeavor and dispose of the suit within a period of three(3) months without

giving adjournment to either parties. The parties are also directed to give fullest

cooperation for the early disposal of the suit.

24-04-2025

msv

To

The VIII Assistant Judge, City Civil Court, Chennai.

Note: Issue order copy on 28.04.2025.

A.D.JAGADISH CHANDIRA,J.

msv



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