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CRP. Nos.3971 & 3972 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13.06.2025**

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP. No.3971 & 3972 of 2024

and CMP. No.21759 of 2024

S.Harikrishnan

Petitioner in both CRPs

Vs

R.Radhakrishnan

Respondent in both CRPs

COMMON PRAYER: This Civil Revision Petition under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 30.07.2024 passed in I.A. No.2 of 2023 & I.A. No.3 of 2023 in O.S. No.103 of 2022 on the file of the Principal Subordinate Judge, Tiruppur.

For Petitioner : Ms.R.Reshma

For Respondents : Mr.S.Vijayanand

COMMON ORDER

The petitioner is the defendant in O.S. No.103 of 2022. Aggrieved by the dismissal of I.A. Nos.2 & 3 of 2023, to restore the I.A. No.1 of 2023 which was dismissed for non prosecution on 19.09.2023 and



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seeking extension of time for payment of costs of Rs.3,500/- as directed by the Trial Court in I.A. No.1 of 2023, the present revisions have been filed.

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2. The suit is for recovery of money, I am of the considered opinion that a fair opportunity ought to be given to the petitioner to contest the suit on merits, at the same time, the respondent also has to be compensated by way of costs.

3. In view of the above, these Civil Revision Petitions are allowed with a direction to the petitioner/defendant to pay Rs.3,000/- (Rupees Three Thousand only) over and above, the cost of Rs.3,500/- (Rupees Three Thousand Five Hundred only) totalling in all, Rs.6,500/-, already imposed by the Trial Court to the learned counsel appeared before the Trial Court within a period of two weeks from the date of receipt of the copy of the order. On payment of the aforesaid costs, the exparte order shall be set aside and the Trial shall be proceeded with in I.A. No.1 of 2023. Considering that the suit is of the year 2022, the Trial Court shall expedite the trial in the suit and dispose of the same on or before, 31.01.2026. Consequently, connected Miscellaneous Petition is also



closed. No costs.

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Index : Yes / No

Internet : Yes / No

To:

The Principal Subordinate Judge, Tiruppur.

P.B.BALAJI, J.,



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