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C.R.P.No.4295 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P.No.4295 of 2024

and

CMP.No.23875 of 2024

Pavadai

... Petitioner

Vs.

Dhajideen

... Respondent

Civil Revision Petition filed under Section 115 of CPC, to set aside the petition and docket order dated 05.09.2024 made in E.P.No.22 of 2022 in O.S.No.137 of 2018, on the file of the Principal District Judge, Villupuram and to allow the above Civil Revision Petition.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.T.K.Saravanan

ORDER

The parties are present before this Court pursuant to the directions issued at the previous hearing. The learned counsel for the respondent / decree holder has filed a calculation memo and claims a sum of Rs.11,34,257/- as payable as on date.



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2. Mr.C.Prabakaran, the learned counsel for the petitioner would

submit that the petitioner is not in a position to pay any further amount and that a sum of Rs.8,00,000/- has already been deposited to the credit of E.P.No.22 of 2022. He would further submit that the petitioner is willing to pay an additional sum of Rs.5,00,000/-, at best, if sufficient time is granted.

3. The learned counsel for the respondent, on instructions from the respondent/decreed holder, initially expressed his non-acceptance of the proposal. However, after due persuasion and deliberation, the respondent/decreed holder has fairly agreed to receive a sum of Rs.15,00,000/- in full and final settlement. The learned counsel for the petitioner has agreed to the said amount and sought reasonable time to pay the balance sum of Rs.7,00,000/-, taking into account that a sum of Rs.8,00,000/- has already been deposited.

4. In view of the above submissions, this Civil Revision Petition is disposed of with the following directions:-

(i) The respondent shall receive a sum of Rs.15,00,000/- in full and final settlement of the decree amount, in full satisfaction thereof.



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(ii) The sum of Rs.8,00,000/- deposited by the petitioner to the credit of E.P.No.22 of 2022 shall be paid out to the respondent / decree holder forthwith. The respondent shall file a formal application in this regard, and the Executing Court shall allow the same without any delay and ensure that the said amount is paid out on or before 31.01.2026.

(iii) The remaining sum of Rs.7,00,000/- shall be paid by the petitioner in three installments, as detailed below:

(a) Rs.2,00,000/- in the month of **March**;

(b) Rs.2,00,000/- in the month of **May**; and

(c) Rs.3,00,000/- in the month of **July**.

(iv) It is made clear that in the event of any default on the part of the petitioner in paying any one of the installments, the respondent shall be at liberty to proceed further with the Execution Petition, in accordance with law.

(v) It is needless to state that upon due compliance of the payment of Rs.7,00,000/- within the stipulated timeline, the order of attachment shall stand raised and necessary endorsement shall be made before the Sub-Registrar concerned, at the cost of the revision petitioner.



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(vi) The Executing Court shall keep the execution proceedings pending only for the purpose of recording compliance, failing which the Execution Petition shall be proceeded with in accordance with law.

(vii) Consequently, the connected Miscellaneous Petition is closed.

(viii) There shall be no order as to costs.

16.12.2025

Index : Yes/No
Neutral Citation : Yes/No
Speaking/Non-Speaking Order
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To

The Principal District Judge, Villupuram.



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P.B.BALAJI, J.

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C.R.P.No.42959 of 2024

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