



CRP(MD). No.975 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 20/11/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.975 of 2023
and
CMP(MD)No.4451 of 2023

P. Katturaja

... Petitioner

Vs

K. Bemmaiyaowder

... Respondent

PRAYER :-

Civil Revision Petition filed under Section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 15-06-2022 in I.A.No.630 of 2018 in O.S.No.46 of 2013 on the file of the Additional Subordinate Court, Dindigul and allow the civil revision petition.

For Petitioner : M/s.S.Sankar,
Advocate.

ORDER

This Civil Revision Petition is filed to set aside the fair and decreetal order dated 15-06-2022 in I.A.No.630 of 2018 in O.S.No.46 of



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2013 on the file of the Additional Subordinate Court, Dindigul and allow the civil revision petition.

2. Learned counsel for the petitioner would submit that the petitioner was a defendant in a suit filed by the respondent praying for specific performance of an agreement, where he had been set *ex parte*. His application to set aside the *ex parte* decree along with an application to condone the delay in setting aside the *ex parte* decree came to be dismissed, against which he has filed a revision, in which this Court had granted an order of conditional stay that the petitioner deposits a sum of Rs.6,50,000/- and the petitioner had deposited the sum of Rs.6,50,000/-. In the meantime, in execution petition, delivery has been ordered and the execution petition has been ordered. Therefore, he would submit that this Civil Revision Petition has become infructuous.

3. Recording the said submission made by the learned counsel for the petitioner, this Civil Revision Petition is closed as infructuous. The petitioner is also permitted to withdraw the amount deposited by him



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pursuant to the order of stay granted on condition, by this Court. No costs. Consequently, connected miscellaneous petition stands closed.

20.11.2025

NCC : yes / no
Index : yes / no
Internet : yes / no

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To

- 1.The Additional Subordinate Court, Dindigul.
- 2.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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K.KUMARESH BABU, J.

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ORDER
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