



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2135 of 2025

K.Satheswaran

...Petitioner

Vs.

1.M.Karthikeyan

2.Amudham Modern Rice Mills,
A registered partnership firm,
represented by its Partner K.V.Palanisamy

3.K.V.Palanisamy

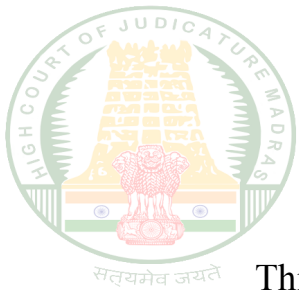
...Respondents

PRAYER: Civil Revision Petition is filed under Section 115 CPC to set aside the fair and decreetal orders dated 02.09.2022 made in I.A.No.1 of 2021 in O.S.No.58 of 2017 on the file of the Principal District Court, Trichirappalli and set aside the same by allowing this Civil Revision Petition.

For Petitioner : Mr.S.Balasubramanian

For R-1 : Mr.K.R.Kishore Ram

For R-2 & R-3 : No Appearance



ORDER

This petition has been filed to set aside the fair and decreetal order dated 02.09.2022 made in I.A.No.1 of 2021 in O.S.No.58 of 2017 on the file of the Principal District Court, Trichirappalli.

2. The first respondent herein filed a suit for recovery of money and for other consequential reliefs before the learned Principal District Judge, Tiruchirappalli, against the petitioner and respondent Nos.2 and 3. The said suit was decreed in favour of the first respondent on 30.09.2009. The petitioner was set exparte in the suit. Thereafter, the petitioner filed an interlocutory application in I.A.No.1 of 2021 before the trial Court. The said application was dismissed on 02.09.2022. Challenging the same, the present Civil Revision Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that though there was enormous delay on the part of the petitioner, however, without prejudice to his rights and contentions, the petitioner is ready and willing to deposit the decreed amount with interest at 9% per annum before the trial Court. The said amount comes to Rs.29,13,160/-. Hence, this Court may direct the trial Court to restore the suit and dispose of the same within a reasonable time.



4. The learned counsel appearing for the respondents has no serious objections.

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5. In view of the above, the petitioner is directed to deposit the decreed amount of Rs.29,13,160/- (Rupees Twenty Nine Lakhs Thirteen Thousand One Hundred and Sixty only) before the trial Court within a period of three weeks from the date of receipt of a copy of this order. Upon such deposit, the trial Court is directed to set aside the fair and decreetal order dated 02.09.2022 made in I.A.No.1 of 2021 in Original Suit No.58 of 2017 and thereafter, restore the suit to its file and dispose of the same within a period of six months from the date of restoration.

6. Accordingly, the Civil Revision Petition stands allowed. No costs.

20.08.2025

Internet:Yes/No

Index:Yes/No

TSG

To

1.The Principal District Court, Trichirappalli.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,

Madurai.



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M.DHANDAPANI, J.

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20.08.2025