



C.R.P.(MD)No.2030 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.08.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2030 of 2025

and

C.M.P.(MD).No.11769 of 2025

Kasthuri

...Petitioner

Vs.

Pugalenth

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to call for the records relating to the fair and decreetal order in I.A.No.1 of 2024 in O.S.No.533 of 2015 on the file of the learned Principal Sub Court, Palani, dated 23.04.2025.

For Petitioner : Mr.A.Karthik

For Respondent : Mr.D.Venkatesh



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ORDER

This petition has been filed seeking to set aside the fair and decreetal order in I.A.No.1 of 2024 in O.S.No.533 of 2015 on the file of the learned Principal Sub Court, Palani, dated 23.04.2025.

2. The respondent herein filed a suit against the petitioner in O.S.No.533 of 2015 before the learned Principal Sub Judge, Palani, seeking specific performance of the sale agreement dated 26.09.2013 by executing the sale deed. In the alternative, the respondent prayed for repayment of the advance amount of Rs.2,50,000/- with 12% interest from the date of filing of the plaint and for costs. The said suit was decreed exparte on 25.01.2017. Subsequently, the respondent filed an execution petition in E.P.No.120 of 2017 before the trial Court, which was allowed, and the sale deed was executed by the Court on 29.08.2018. Thereafter, the respondent filed E.A.No.12 of 2019 seeking delivery of possession of the suit schedule property. At that stage, when the Court warrant was affixed on the petitioner's door, he came to know about the exparte decree. Accordingly, the petitioner filed an interlocutory application in I.A.No.1 of 2024 before the trial Court to condone the delay of 2565 days in



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filing a petition to set aside the exparte decree dated 25.01.2017. However, the trial Court, by order dated 23.04.2025, dismissed the said interlocutory application. Aggrieved by the same, the present Civil Revision Petition has been filed.

3. While the matter is pending before this Court, the parties have, with the passage of time, decided to bury their differences and amicably settle the dispute among themselves. A Joint Memo of Compromise dated 19.08.2025 has been filed before this Court, duly signed by the petitioner and the respondent as well as their respective counsel. This Court, upon enquiry with both parties, is satisfied that the settlement has been arrived at voluntarily and without any coercion.

4. The parties are directed to implement the terms of the Joint Compromise Memo strictly.

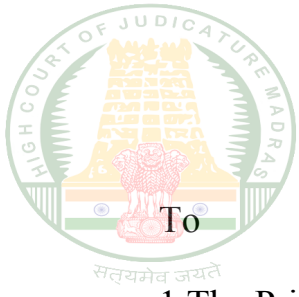
5. In view of the above, this Civil Revision Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed. The Joint Compromise Memo dated 19.08.2025 shall form part and parcel of this order.

19.08.2025

Internet:Yes/No

Index:Yes/No

TSG



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To

- 1.The Principal Sub Court, Palani.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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