



C.R.P.(MD)No.2238 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

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CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(NPD)(MD)No.2238 of 2025

and

C.M.P.(MD)No.13417 of 2025

P.Subburaman

... Petitioner

Vs.

K.Lakshmanasamy

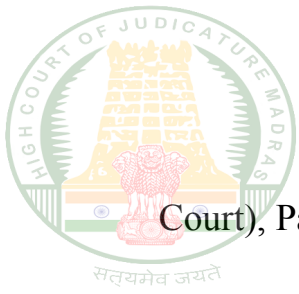
... Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code, to set aside the fair and decreetal order dated 13.06.2025 passed by the Additional District Court (Fast Track Court), Palani in I.A.No.177 of 2025 in O.S.No.10 of 2018 insofar directing the petitioner to deposit a sum of Rs.7,18,800/- before the Additional District Court (Fast Track Court), Palani.

For Petitioner : Mr.T.Leninkumar

ORDER

This Civil Revision Petition is filed challenging the order dated 13.06.2025 passed by the Additional District Court (Fast Track Court), Palani in I.A.No.177 of 2025 in O.S.No.10 of 2018 insofar directing the petitioner to deposit a sum of Rs.7,18,800/- before the Additional District Court (Fast Track



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Court), Palani.

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2.Since no adverse order is going to be passed in this Civil Revision Petition as against the respondent, notice to the respondent is dispensed with.

3.The petitioner is the defendant/ judgment debtor in O.S.No.10 of 2018, which was filed by the respondent for recovery of money to the tune of Rs.14 lakhs and the said suit was decreed *exparte* on 29.08.2023. Thereby, the petitioner filed an application in I.A.No.177 of 2025 to condone the delay of 557 days in filing an application to set aside the *ex-parte* decree. The said petition was allowed directing the petitioner to pay a sum of Rs.7,18,800/-. Challenging the same, the present Civil Revision Petition is filed.

4.The learned counsel for the petitioner submits that the petitioner entered into a lease agreement with the respondent/plaintiff for a sum of Rs.30 lakhs. The respondent/plaintiff has only given a sum of Rs.6.50 lakhs and the balance amount was not paid. Thereby, the lease was not executed. Without paying the balance lease amount, the respondent filed the money suit as against the petitioner and obtained an *ex-parte* order. Immediately after coming to know about the said *exparte* order, the petitioner has filed an application to set aside the said *exparte* order. The trial Court without considering the fact that



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the admitted amount is only a sum of Rs.6.50 lakhs, directed the petitioner to pay a sum of Rs.7,18,800/-, which is not sustainable. Hence, he prayed for appropriate order.

5.The facts in the present case are not in dispute. The petitioner himself has admitted that he has entered into a lease deed with the respondent and he has received a sum of Rs.6.50 lakhs from the respondent/plaintiff in the year 2017. Such being the position, the condition imposed by the trial Court to pay a sum of Rs.7,18,800/- appears to be just and reasonable and the said order needs no interference.

6.Accordingly, this Civil Revision Petition is dismissed. The petitioner is directed to deposit the amount as directed by the trial Court within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

18.08.2025

Index : Yes/No
Internet : Yes / No
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To

- 1.The Additional District Court (Fast Track Court),
Palani.
- 2.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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