



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED: 07.07.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.M.P.[PD][MD.Nos.11536 & 11538 of 2023**

**in**

**C.R.P.(MD)SR.Nos.62056 and 62057 of 2023**

**C.M.P.(MD).No.11536 of 2023**

Indira

...Petitioner

Vs.

Ravichandran

...Respondent

**PRAYER:** Civil Miscellaneous petition is filed under Section 5 of the Limitation Act to condone the delay of 435 days in preferring the Civil Revision petition.

For Petitioner

: Mr.P.Ganapathi Subramanian

For Respondent

: Mr.R.Paranjothi,

for K.B.S. Law Office

**C.M.P.(MD).No.11538 of 2023**

1.Solamalai

2.Manimuthu

...Petitioners



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C.M.P.(PD).(MD).Nos.11536 & 11538 of 2



Vs.

Ravichandran

...Respondent

For Petitioners

: Mr.P.Ganapathi Subramanian

For Respondent

: Mr.R.Paranjothi,

for K.B.S. Law Office

**PRAYER:** Civil Miscellaneous petition is filed under Section 5 of the Limitation Act to condone the delay of 435 days in preferring the Civil Revision petition.

**C.R.P.(MD).SR.No.62056 of 2023**

Indira

...Petitioner

Vs.

Ravichandran

...Respondent

**PRAYER:** Civil Revision petition is filed under Section 115 of CPC, 1908, to set aside the fair and decreetal order dated 04.11.2020 made in I.A.No.609 of 2019 in O.S.No.252 of 2017 on the file of the learned Sub Judge, Aranthangi.

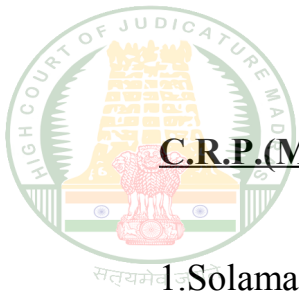
For Petitioner

: Mr.P.Ganapathi Subramanian

For Respondent

: Mr.R.Paranjothi,

for K.B.S. Law Office



**C.R.P.(MD).SR.No.62057 of 2023**

1.Solamalai

2.Manimuthu

...Petitioners

Vs.

Ravichandran

...Respondent

**PRAYER:** Civil Revision petition is filed under Section 115 of CPC, 1908, to set aside the fair and decreetal order dated 04.11.2020 made in I.A.No.30 of 2020 in O.S.No.252 of 2017 on the file of the learned Sub Judge, Aranthangi.

For Petitioners : Mr.P.Ganapathi Subramanian

For Respondent : Mr.R.Paranjothi,  
for K.B.S. Law Office

**COMMON ORDER**

C.M.P.(MD).Nos.11536 and 11538 of 2023 have been filed to condone the delay of 435 days in preferring the Civil Revision Petitions.

2. C.R.P.(MD).SR.No.62056 of 2023 has been filed to set aside the fair and decreetal order dated 04.11.2020 made in I.A.No.609 of 2019 in O.S.No. 252 of 2017 on the file of the learned Sub Judge, Aranthangi.



3. C.R.P.(MD).SR.No.62057 of 2023 has been filed to set aside the fair and decretal order dated 04.11.2020 made in I.A.No.30 of 2020 in O.S.No.252 of 2017 on the file of the learned Sub Judge, Aranthangi.

4. Since the issue involved in both these petitions is the same, the civil miscellaneous petitions are disposed of by way of this common order.

5. The respondent herein filed a suit in O.S.No.241 of 2016 before the learned Sub Judge, Pudukkottai, seeking specific performance of a contract alleged to have been registered on 05.10.2015. The said suit was later transferred and renumbered as O.S.No.252 of 2017 on the file of the learned Sub Judge, Aranthangi. The suit was decreed *ex parte* on 27.02.2018. Subsequently, the respondent filed an execution petition in E.P.No.30 of 2019 before the trial Court. Immediately thereafter, the revision petitioner in C.R.P.(MD).SR.No.62056 of 2023 / first respondent in the said suit filed an application to set aside the *ex parte* decree along with a petition to condone the delay of 494 days in filing the same. The trial Court dismissed the petition on 04.11.2020 in I.A.No.609 of 2019 under Section 5 of the Limitation Act. Similarly, the revision petitioners in C.R.P.(MD).SR.No.62057 of 2023 / second and third respondents in the suit filed an application to set aside the *ex parte* decree along with a petition to condone the delay of 699 days in filing the application. This petition was also dismissed by the trial Court on 04.11.2020 in



I.A.No.30 of 2020 under Section 5 of the Limitation Act. Challenging the said orders, the present civil revision petitions have been filed.

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6. The learned counsel appearing for the petitioners submitted that based on the ex parte decree, the trial Court executed the decree in favour of the respondent. During the pendency of the present proceedings, the matter was referred to the Mediation and Conciliation Centre attached to this Bench, and the matter was amicably settled between the parties. The petitioners refunded the entire advance amount and other amounts as agreed during mediation, which were received by the respondent/plaintiff. The respondent also agreed to reconvey the property in favour of the petitioners and filed a 'No Objection Certificate' before the Revenue Authorities for transfer of patta in favour of the petitioners. The petitioners have also stated that they have no objection to returning a sum of Rs.2,00,000/- to the respondent.

7. The learned counsel appearing for the respondent did not dispute the submissions made by the petitioners.

8. In view of the amicable settlement between the parties, the respondent is directed to reconvey the property in favour of the petitioners in both these petitions and execute the sale deed within a period of two weeks from the date of receipt of a copy of this order. The respondent is also directed to furnish a



'No Objection Certificate' before the Revenue Authorities for mutation of the revenue records in favour of the petitioners in both these petitions. The petitioners in both these petitions are directed to file a 'No Objection Certificate' before the trial Court for disbursal of the deposited amount of Rs.2,00,000/- (deposited by the respondent) along with accrued interest, to the respondent.

9. In view of the above, these Civil Miscellaneous Petitions are disposed of. The Civil Revision Petitions are rejected at the SR stage itself. No costs.

**07.07.2025**

Internet:Yes/No

Index:Yes/No

TSG

To

1.The Sub Court, Aranthangi.

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



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C.M.P.(PD).(MD).Nos.11536 & 11538 of 2



**M.DHANDAPANI, J.**

TSG

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