



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.2264 of 2025

and

C.M.P.(MD).No.13584 of 2025

A.Paramasivam

...Petitioner

Vs.

A.Illayaraja

...Respondent

PRAYER: Civil Revision Petition is filed under under Section 115 CPC to set aside the order dated 04.08.2025 made in E.P.No.217 of 2024 in O.S.No.132 of 2023 on the file of the V Additional District Court, Madurai.

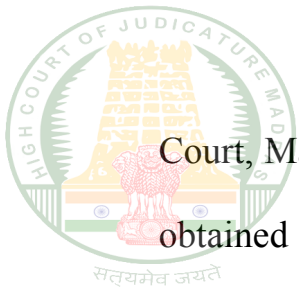
For Petitioner : Mr.D.R.Murugesan

For Respondent : Mr.S.Raja Mohammed

ORDER

This petition has been filed to set aside the order dated 04.08.2025 made in E.P.No.217 of 2024 in O.S.No.132 of 2023 on the file of the V Additional District Court, Madurai.

2. The learned counsel for the petitioner would submit that the petitioner is the defendant in O.S.No.132 of 2023 on the file of the V Additional District



Court, Madurai. The said suit was filed by the respondent/plaintiff, in which he obtained an exparte decree on 20.12.2023. Upon receipt of notice in the execution proceedings, the petitioner filed I.A.Nos.1 and 2 of 2025 to condone the delay and to set aside the exparte decree. While both the said interlocutory applications were pending consideration, the trial Court issued a direction to the respondent/plaintiff to produce a draft sale deed on or before 18.08.2025. Aggrieved by the said order, the present Civil Revision Petition has been filed.

3. The learned counsel appearing for the petitioner would further submit that in order to demonstrate his bona fides, the petitioner is ready and willing to deposit a sum of Rs.12,00,000/- within a period of three weeks. On such deposit, it is prayed that this Court may issue a direction to the trial Court to allow the interlocutory applications in I.A.Nos.1 and 2 of 2025, restore the suit, and dispose of the same on merits.

4. The learned counsel appearing for the respondent has fairly submitted that he has no serious objection to the said course of action.

5. In view of the above submissions, this Court directs the petitioner to deposit a sum of Rs.12,00,000/- (Rupees Twelve Lakhs only) to the credit of O.S.No.132 of 2023 within a period of three weeks from the date of receipt of a copy of this order. On such deposit being made, the trial Court is directed to



restore O.S.No.132 of 2023 on file by allowing I.A.Nos.1 and 2 of 2025 and thereafter dispose of the suit on merits and in accordance with law, as expeditiously as possible. In the event of failure to deposit the said amount within the stipulated time, the trial Court shall proceed with the execution proceedings in E.P.No.217 of 2024 in the manner known to law.

6. Accordingly, this Civil Revision Petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

28.08.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1.The V Additional District Court, Madurai.

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



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M.DHANDAPANI, J.

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