



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP NO. 3429 OF 2025
& CMP NO. 18709 OF 2025**

1. Subashree
W/o. Sivakumar, D.No.207, Bazzar
Street, Sathyamangalam, Erode.

2.Sivakumar
S/o. Manickam, D.No.207, Bazzar
Street, Sathyamangalam, Erode.

Appellant(s)

Vs

1. B.Baburaj
S/o. Baskaran, No.537A Athani Main
Road, Near By Kavara Mahal,
Sathyamangalm, Erode.

2.Maheshbabu
S/o Kuppusamy, Door No.221/267,
Sathi Athani main Road,
Thuckanaickenpalayam, Vaniputhur
Village, Gobichettipalayam, Erode.

3.Amutha
W/o. Appusamy, Door. No.138, Market
Road, Kembanaickenpalayam Village,
Sathyamangalam, Erode.

4.Karnataka Bank Ltd
Rep. by its Manager, No.184, Eswaran
Kovil Street, Tiruppur.

Respondent(s)

**CRP No. 3431 of 2025****PRAYER**

To set aside the Fair and Decreetal Order dated 05.01.2023 in I.A.No.7 of 2022 in I.A.No.5 of 2022 in OS.No.54 of 2022 on file of the Learned Subordinate Judge, Sathyamangalam.

For Petitioner(s): MR.P.A.Sai Govindaraja

For Respondent(s): Mr.K.Krishnan For Rr1 and 2
R-3 And R4 - No Appearance

ORDER

CRP No. 3431 of 2025 has been filed seeking to Fair and Decreetal Order dated 05.01.2023 in I.A.No.7 of 2022 in I.A.No.5 of 2022 in OS.No.54 of 2022 on file of the Learned Subordinate Judge, Sathyamangalam.

2. The petitioners herein filed in I.A.No.4 of 2022 in I.A No. 3 of 2022 in OS.No.54 of 2022 on file of the Learned Subordinate Judge, Sathyamangalam, seeking to set aside the exparte order dated 21.06.2022. On hearing both sides the Trial Court allowed the application with the condition to pay a cost of Rs.500/-. But the petitioners failed to comply with the said order. Hence, the Trial Court dismissed the said application on 13.09.2022. Challenging the same the petitioners filed I.A No. 6 of 2022 in I.A.No.4 of 2022 in OS.No.54 of 2022 praying to restore I.A.No.4 of 2022 in OS.No.54 of 2022. Upon hearing both sides, the Trial Court dismissed the said Application stating that the petitioners has not complied with conditional order and also petition as such is not maintainable. Challenging the same, the petitioners filed this Civil Revision



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3. Heard both sides.

4. On perusal of record, it is seen that the petitioners have failed to comply with the conditional order imposed by the Trial court. However, this Court is inclined to give one more opportunity to the petitioners. Accordingly, the order passed by the Trial Court I.A.No.6 of 2022 in I.A.No.4 of 2022 in OS.No.54 of 2022 is set aside. I.A.No.6 of 2022 in I.A.No.4 of 2022 in OS.No.54 of 2022 is allowed with the condition that the petitioners shall pay a cost of Rs. 1,000/- to the respondents within a period of two weeks from the date of receipt of a copy of this order. Further both parties are directed to cooperate with Trial proceedings. No Costs. Pending miscellaneous petition, if any, is/are closed.

13-03-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Subordinate Judge, Sathyamangalam.

2. The Section officer, V. R Section, High Court, Madras.



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T.V.THAMILSELVI J.
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