

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P.(NPD) NO.414 OF 2015
AND M.P.NO.1 OF 2015

P.Senthilkumar ... Petitioner

Vs.

Ananthanathan ... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India with a prayer to complete the enquiry of the petition in I.A.No.253 of 2014 in O.S.No.8 of 2010 on the file of the Sub Court, Rasipuram, Namakkal District.

For Petitioner : Mr.I.C.Vasudevan

ORDER

This Civil Revision Petition is filed for a direction to complete the enquiry in I.A.No.253 of 2014 in O.S.No.8 of 2010 pending on the file of the Sub Court, Rasipuram, Namakkal District, within a time frame.

2.The petitioner is the defendant in O.S.No.8 of 2010, which was

filed by the respondent/plaintiff against the petitioner for recovery of money. The petitioner remained *exparte* and an *exparte* decree was passed on 10.03.2010. Based on the decree, the respondent filed an Execution Petition in R.E.P.No.12 of 2011 to recover the decree amount.

3.While so, the petitioner filed an application in I.A.No.253 of 2014 to condone the delay in filing the application to set aside the *exparte* decree.

4.Mr.I.C.Vasudevan, learned counsel for the petitioner has submitted that the application is posted for enquiry and due to the execution proceedings initiated against the petitioner, the application can be disposed at the earliest.

5.Considering the representation made by the learned counsel for the petitioner, this Court is inclined to direct the Sub Court, Rasipuram, Namakkal District to dispose of I.A.No.253 of 2014. Accordingly, the learned Sub Judge, Rasipuram, Namakkal District is directed to dispose of I.A.No.253 of 2014, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6.This Civil Revision Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

30.01.2015

Index : Yes/No
Internet : Yes/No
TK
To

The Sub Court
Rasipuram,
Namakkal District.

K.KALYANASUNDARAM, J.

TK

C.R.P.(NPD) NO.414 OF 2015

30.01.2015