

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

C.R.P.(P.D.) No.2182 of 2016 and
CMP.No.11366 of 2016

K.Sukumaran

...Petitioner

Versus

Mr.C.A.Thangavel

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and decretal order in I.A.No.776 of 2014 in O.S.No.566 of 2014 on the file of the Principal District Munsif, Erode.

For Petitioner : Mr.S.Ravee Kumar

ORDER

The petitioner challenges the order and decretal order in I.A.No.776 of 2014 in O.S.No.566 of 2014 on the file of the learned I Additional District Judge, Coimbatore. The order was passed on 06.07.2015. The Civil Revision Petition was filed on 14.07.2016, well after the period of limitation prescribed for filing appeal against the impugned order passed under Order 38 Rule 5 r/w Section 151 of CPC.

K.K.SASIDHARAN, J.

kmi/ds

2. The order under challenge is appealable before the First Appellate Court. There is no question of invoking the revisional jurisdiction under Article 227 of the Constitution of India, in respect of an order which is liable to be corrected by filing an appeal. I am therefore of the view that the Civil Revision Petition is liable to be dismissed.

3. In the result, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.09.2016

Index:Yes/No
kmi/ds

To

The Principal District Munsif Court,
Erode.

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