

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2016

CORAM

THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

C.R.P (PD) No.61 of 2016

1.Mrs.Rose
2.D.Sankar
3.D.Muthu
4.D.Viswanathan

... Petitioners

vs.

Govindhu Pillai (Deceased)

1.Thayammal
2.Amuthal
3.Sundaram
4.G.Sagunthala
5.G.Thanigaivel
6.G.Balasubramani
7.G.Kalyani
8.G.Janakiraman

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the I Additional District Judge at Tiruvallur, Tiruvallur District to take up I.A.No.78 of 2015 in O.S.No.26 of 2014 and main suit in O.S.No.26 of 2014 to dispose of the same within the time to be fixed by this Hon'ble Court.

For Petitioner : Mr.A.V.Raja

ORDER

Though the respondents have been served with notice and their names have been printed in the cause list, they have not chosen to enter appearance to resist this petition.

2. The plaintiffs in O.S.No.26/2014 on the file of the First Additional District Judge, Tiruvallur, which was dismissed for default, are the petitioners herein. They filed I.A.No.78/2015 under Order IX Rule 9 of the Code of Civil Procedure for the restoration of the said suit, which was dismissed for default. The present petition filed under Article 227 of the Constitution of India is for a limited relief of a direction to the trial court to take up I.A.No.78/2015 in O.S.No.26/2014 and dispose of the same within a time to be fixed by this court.

3. The present petition is not opposed. The prayer sought for is quite reasonable. Hence this court deems it appropriate to allow the prayer made in the revision.

In the result, the civil revision petition is allowed. The trial court is directed to take up the enquiry in I.A.No.78/2015 in O.S.No.26/2014 and dispose of the same within four weeks from the date of receipt of a copy of this order.

23.03.2016

Index : Yes/No
Internet : Yes
asr

To

The First Additional District Judge, Tiruvallur

Note:

Issue order copy on
28.03.2016

P.R.SHIVAKUMAR, J.
asr/-

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