

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

—
CIVIL REVISION PETITION No.1805 of 2016

ORDER:

Despite service of notice neither are the respondents present nor are they represented by counsel.

Sri Mohd.Adnan, learned counsel for the petitioner, would submit that the order under revision is bereft of reasons; and the application, under Order VI

Rule 17 CPC, was allowed on the very same day on which it was numbered and posted.

In its order, in I.A.No.521 of 2016 in O.P.No.627 of 2011 dated 15.02.2016, the Court below has merely recorded that counter of respondents 1 and 2 was not filed, and the petition was allowed. The Court below has failed to consider whether the conditions stipulated in Order VI Rule 17 CPC, and its proviso, were satisfied or not. The order under revision is set aside. I.A.No.521 of 2016 in O.P.No.627 of 2011 is restored to file. The Court below shall, after hearing the parties on either side, pass a reasoned order afresh in accordance with law.

The Civil Revision Petition is disposed of accordingly. Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, J

29th July, 2016.

Tsy