

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2017

CORAM :

THE HONOURABLE MR.S.M.SUBRAMANIAM

C.R.P(PD).No.1470 of 2014
and M.P.No.1 of 2014

Chinnasamy

.. Petitioner

Vs.

Canara Bank
Nasiyanur Branch,
by Branch Manager,
Nasiyanur

.. Respondent

Prayer:- Civil Revision Petition is filed under Article 227 Constitution of India to set aside the order dated 29.10.2013 made in I.A.No.382 of 2013 in O.S.No.276 of 2012 on the file of learned 2nd Additional District Munsif, Erode and allow the I.A.

For Petitioner : Mr.D.Selvaraju

For Respondent : Mr.V.Adhivarahan

ORDER

The Civil Revision Petition is filed challenging the order dated 29.10.2013 passed in I.A.No.382 of 2013 in O.S.No.276 of 2012 on the file of the learned 2nd Additional District Munsif, Erode.

2. The learned counsel for the respondent submitted that the suit in O.S.No.276 of 2012 itself was decreed exparte on 25.02.2015 and further stated that no application / petition was filed to set aside the exparte decree.

3. The learned counsel for the petitioner though admitted the fact that the suit was decreed exparte, submitted that, a petition was filed to set aside the exparte decree. But, the counsel for the petitioner is unable to submit the details regarding the petition.

However, this Court is not inclined to give any opinion on these facts. But, the fact remains that the suit was decreed exparte and no suit is pending as on today. Such being the factual position, the present

Civil Revision Petition is not maintainable and accordingly, this Civil Revision Petition is dismissed without costs. Consequently, connected miscellaneous petition is closed.

22.02.2017

ssd

To

The learned 2nd Additional District Munsif,
Erode

S.M.SUBRAMANIAM,J.,

ssd

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