

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE **M.GOVINDARAJ**

CRP.Nos.2328 & 2329/2017 and CMP.Nos.10951 & 10952/2017

Arulmigu Marundeeswarar
Thirukoil
Rep. By its Executive Officer
East Coast Road,
Thiruvannamiyur,
Chennai 600 041.

...Plaintiff/Petitioner

..Vs..

Mr.Panneerselvam

...Defendants/Respondent

Prayer:- Civil Revision Petition filed under Article 227 of Constitution of India to direct the District Munsif Court at Alandur to dispose off I.A.No.1043/2016 in O.S.No.561/2016 and I.A.No.1045/2016 in O.S.No.563/2016.

For Petitioner : M/s.A.S.Kailasam and Associates

COMMON ORDER

The Civil Revision Petitions are taken up for final disposal at the admission stage itself.

2. The Revision petitions are against the inaction on the part

<http://www.judis.nic.in> of the Court below, in not passing an order, even after stating that the

defendant has been set as exparte. The suit was filed in the year 2016 and on 05.11.2016, the respondent was served in the interlocutory applications filed under Order 39 Rule 1 of C.P.C. On 02.11.2016, the notice send to the respondent was returned as "gone out". Therefore, substituted service was ordered and a petition to take steps was filed on 25.11.2016. Steps were taken for paper publication on 30.01.2017. On 30.01.2017, the Court has observed that in I.A.No.1043/2016, Paper Publication effected service held sufficient. The respondent called absent and set exparte. Even though the respondent was set exparte, no consequential orders either to grant or reject the relief of interim injunction has been passed. Aggrieved over the inaction of the Court, the petitioner has preferred these revision petitions.

3. Considering the facts and circumstances, a direction is issued to the Principal District Munsif Court at Alandur, to pass appropriate orders in I.A.Nos.1043 and 1045/2016 in OS.Nos.561 & 563/2016 within a period of one week from the date of receipt of a copy of this order.

4. The Civil Revision Petitions are disposed of. Consequently connected Miscellaneous Petitions are closed. No costs.

18.07.2017

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Index :Yes / No
Internet:Yes / No

To
The District Munsif,
Alandur.



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M.GOVINDARAJ.,J.

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