

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated : 07.08.2017**

**Coram**

**THE HON'BLE MR.JUSTICE M.GOVINDARAJ**

**C.R.P.(PD) Nos.2736 & 2737 of 2017**  
**and**  
**C.M.P.No.12977 of 2017**

1. V.Dakshinamoorthy
2. B.H.Himagiribabu

...Petitioner nos.1 and 2  
in both CRPs'

Vs.

1. N.Syamasundara Naidu
2. The Sub Registrar  
Gudiyattam (exonerated)

... Respondent nos. 1 and 2  
in both CRPs'

**Prayer in C.R.P.(PD) No.2736 of 2017:** Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 24.03.2017 made in I.A.No.98 of 2016 in O.S.No.130 of 2014 on the file of the Subordinate Court, Gudiyattam, Vellore District pending disposal of the above C.R.P.

**Prayer in C.R.P.(PD) No.2737 of 2017:** Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 24.03.2017 made in I.A.No.99 of 2016 in O.S.No.130 of 2014 on the file of the Subordinate Court, Gudiyattam, Vellore District pending disposal of the above C.R.P.

For Petitioners : Mr.D.Rajagopal

**COMMON ORDER**

These Civil Revision Petitions have been filed by the petitioners against the order of condoning the delay of 65 days in setting aside the *exparte* decree as well as to condone the delay of 75 days in filing the restoration petition.

2. The learned counsel for the petitioners would submit that the delay was not properly explained and no sufficient reasons are shown for condoning the delays. Even cost was not paid within the time prescribed by this Court. In spite of all these things, the Trial Court has condoned the delay which is illegal.

3. Considering the facts and circumstances of the case, this Court is not inclined to interfere with the order of the Court below. However, a direction is issued to the Trial Court to dispose of both the interlocutory applications, as well as the main suit, on merits and in accordance with law, as expeditiously as possible, after following all procedures.

4. With these observations, both the Civil Revision Petitions are disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

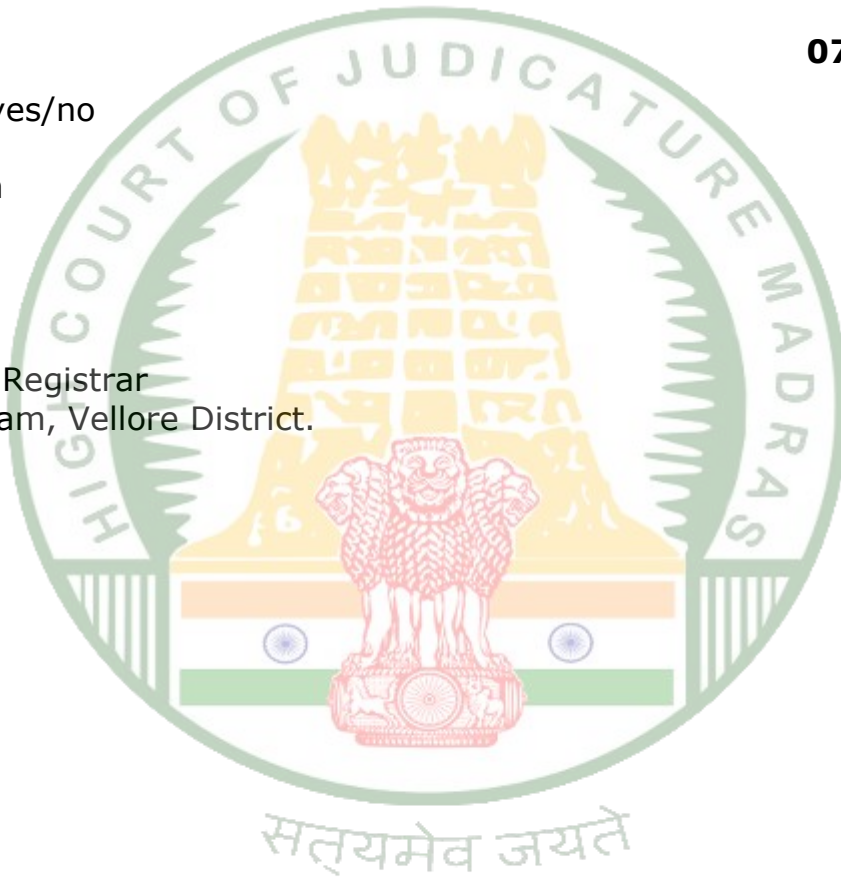
**07.08.2017**

Index : yes/no

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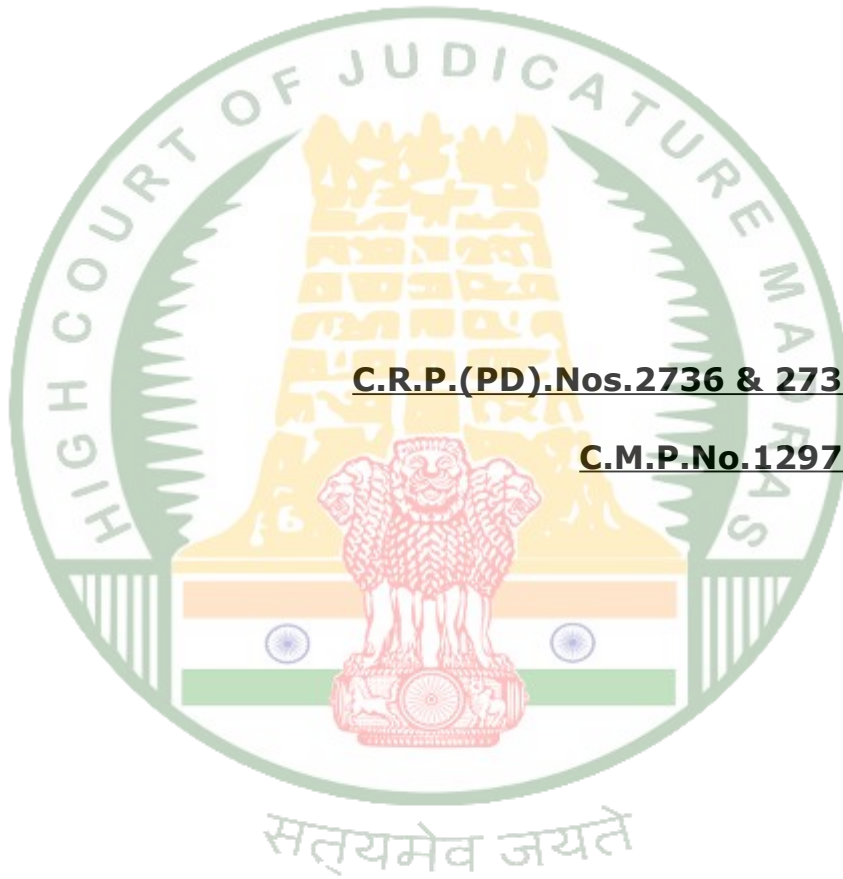
The Sub Registrar  
Gudiyattam, Vellore District.



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**M.GOVINDARAJ, J.**

raja/bsm



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**and**  
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