

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2017

CORAM :

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

C.R.P.(PD).No.3584 of 2017  
and C.M.P.No.16861 of 2017

1.Karunavalli  
2.M.Kanimozhi ..... Petitioners

Vs.

S.Uma Mageswari ..... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the petition and order dated 22.08.2017 passed in I.A.No.10386 of 2017 and permit the petitioners to recall the DW1 for cross examination in O.S.No.3091 of 2014, on the file of the XII Assistant Judge, City Civil Court, Chennai.

For Petitioners : Mr.P.Raj Kumar Pandian

ORDER

The Civil Revision Petition has been filed to recall D.W.1 for cross examination in the suit in O.S.No.3091 of 2014. The same was allowed by the trial Court on 22.08.2017 on terms. The petitioner was

directed to pay a sum of Rs.1,000/- towards costs to the respondent/plaintiff on or before 29.08.2017, failing which petition would be dismissed. The petitioner has not paid the cost. therefore, the order has taken effect automatically on 30.08.2017. The petitioner has not filed any application for extension of time, for paying the costs.

2. When the matter is taken up for hearing today (22.09.2017), the learned counsel for the petitioner seeks extension of time, for paying the costs and to get along with the case.

3. Admittedly, the second petitioner gave birth to a child on 20.05.2017 by cesarean. Therefore, she could not approach the Court to comply with conditional order.

4. Considering the peculiar circumstances of the case, time for paying the costs is extended by two weeks. The petitioners shall pay the costs within a period of two weeks from today (22.09.2017) and permitted to participate in the trial.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

asi/klt

To

The XII Assistant Judge, City Civil Court, Chennai.

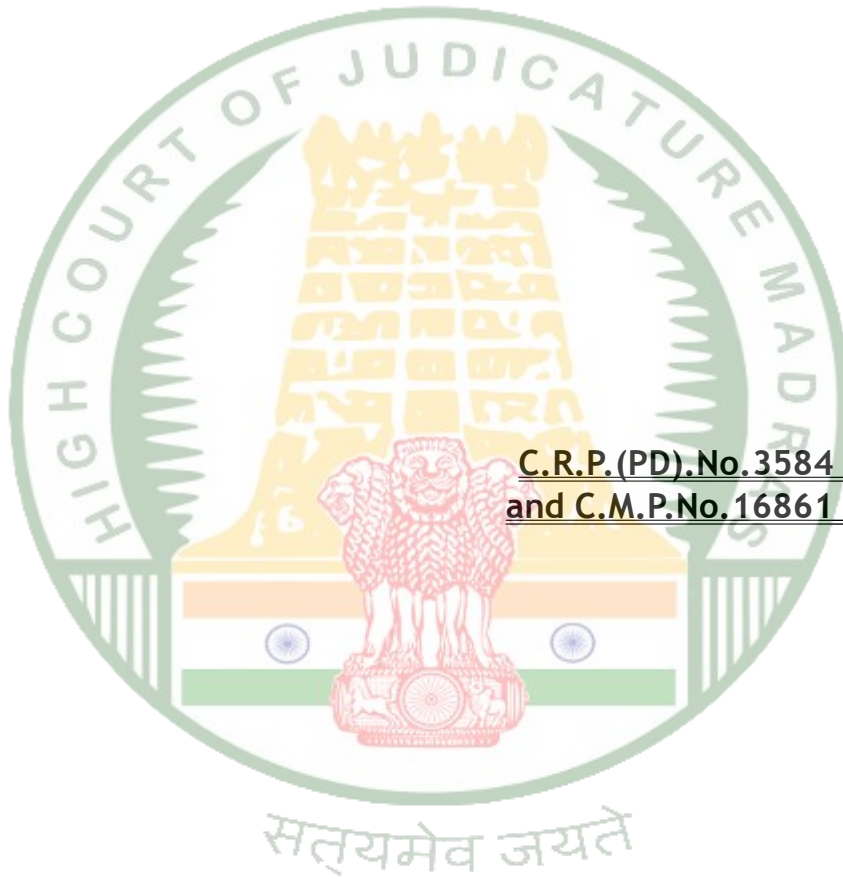
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M. GOVINDARAJ, J.

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