

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 4160 of 2017
and
CMP No.19510 of 2017

1. Mr. M. Krishnan
 2. Mrs. Boopathy
 3. Mr. Ravichandran @ Yesu
 4. Mr. Manivannan
 5. Mr. K. Prabhu @ Aasai Thambi
- .. Petitioners

Mr. M. Madhisiva

Vs

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order and decretal order dated 14.10.2017 and the consequential order dated 30.10.2017 in I.A. No.10817 of 2017 in O.S. No. 4926 of 2016 on the file of the III Assistant City Civil Court, Chennai by allowing the revision.

For Petitioners : Mr. J. Parthasarathy

ORDER

This Civil Revision Petition is filed to set aside the order and decretal order dated 14.10.2017 and the consequential order dated 30.10.2017 in I.A. No.10817 of 2017 in O.S. No. 4926 of 2016 passed by the III Assistant City Civil Court, Chennai.

2. The learned counsel for the petitioners submitted that an order was passed on 14.10.2017 by the court below, allowing the application filed by the petitioners, to set aside the ex-parte order dated 14.07.2017 in the suit, on payment of cost. The said application was posted on 30.10.2017 for reporting compliance. On 30.10.2017, since the petitioners were called absent and also failed to comply with the order, the court below dismissed the Interlocutory Application. Challenging both the orders, the petitioners have filed this revision petition.

3. The learned counsel further submitted that the petitioners undertake to pay the cost imposed by the trial court,

however, have not filed an application seeking for extension of time, under Section 148 of Code of Civil Procedure.

4. In view of the above submission of the learned counsel for the petitioners, the Civil Revision Petition is dismissed, with liberty to file an appropriate application under Section 148 of CPC, for extension of time, within a period of one week from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petition is closed. No order as to costs.

14.11.2017

Index : Yes/ No

Speaking order/ Non speaking order

avr

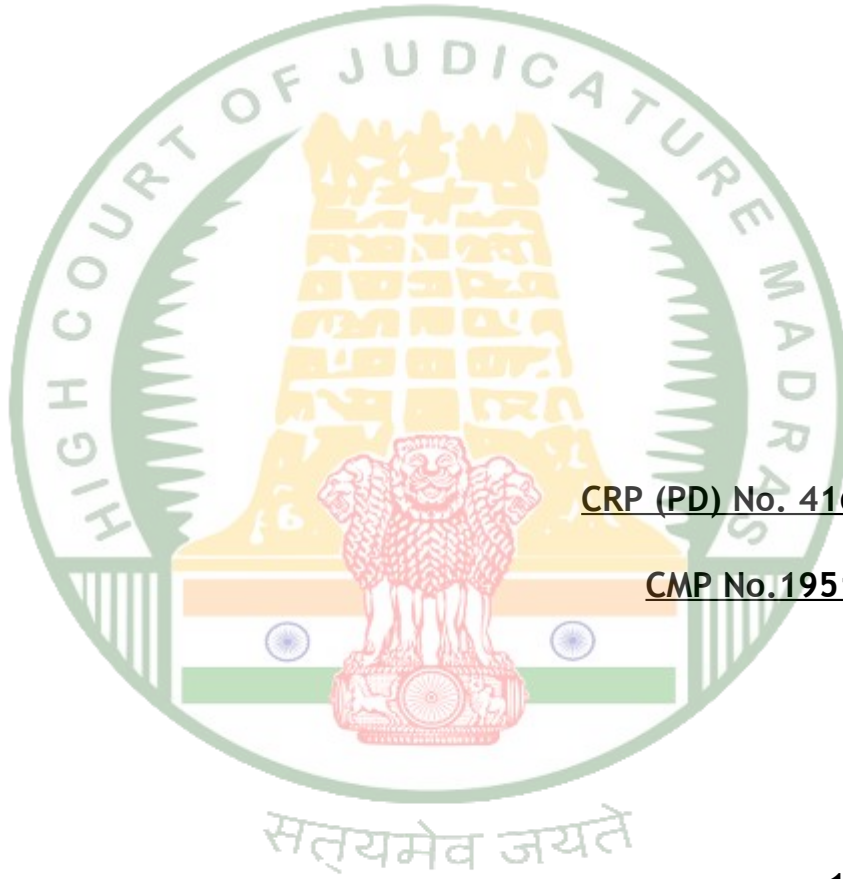
To

The III Assistant City Civil Court,
Chennai

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D. KRISHNAKUMAR J.,

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