

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2017

CORAM

THE HONOURABLE MR.JUSTICE M. DURAISWAMY

C.R.P.(PD).No.780 of 2017

Lakshmi

... Petitioner

Vs.

Loganathan

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the decreetal and fair order passed in un-numbered POP No. of 2015 in C.F.R.No.8629 of 2013 on the file of the Principal District Court, Erode dated 21.11.2015 in rejecting the petition duly taken out under Order 33 Rule 1 of the Civil Procedure Code to permit her to sue inform a pauperis against the respondent.

Petitioner : Mrs.Lakshmi - Party-in-person

For Respondent : Mr.L.Mouli, Amicus Curiae

ORDER

Challenging the order passed in un-numbered POP No. of 2015 in C.F.R.No.8629 of 2013 on the file of the Principal District Court, Erode, the plaintiff has filed the above Civil Revision Petition.

2.The plaintiff filed the un-numbered suit in C.F.R.No.8629 of 2013 for recovery of a sum of Rs.29,10,962/- together with interest at the rate of 24% per annum. Along with the plaint, the revision petitioner also filed an un-numbered application under Order 33 Rule 1 of the Civil Procedure Code to permit her to prosecute the suit as *informa pauperis*.

3.On a perusal of the plaint, it could be seen that the cause of action for filing of the suit arose on 18.05.1998, 22.05.1998, 18.06.1998 and 18.09.1998. When the cause of action arose in the year 1998, the revision petitioner filed the suit only in the year 2013 (i.e.) after a lapse of 15 years. The trial Court, taking note of all these facts, rightly rejected the petition stating that the suit filed by the revision petitioner is barred by limitation.

4.In these circumstances, I do not find any error or irregularity in the order passed by the trial Court. The Civil Revision Petition is devoid of merits and the same is liable to be dismissed. Accordingly, the Civil Revision Petition is dismissed. No costs.

Index : No
Internet : Yes
va

15.03.2017

To

The Principal District Court,
Erode.

M. DURAISWAMY,J.

va

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