

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 10TH DAY OF FEBRUARY 2017

THE HON'BLE MR.JUSTICE P.VELMURUGAN

A.Nos.537 & 538 of 2017

in

C.S.No.545 of 2007

C.S.No.545 of 2007

M.Sivalingam

O.No.10, N.No.14,

Sadayappan Street,

Mandavelli, Chennai-28.

...Plaintiff

Vs

1.Mrs.Rajini Mahalingam

2.M.Manikandan

Both residing at Flat G-3

New No.43, 1st Avenue,

Indra Nagar, Chennai-600 020.

..Defendants

A.Nos.537 & 538 of 2017

1.Mrs.Rajini Mahalingam

2.M.Manikandan

Both residing at Flat G-3

New No.43, 1st Avenue,

Indra Nagar, Chennai-600 020.

..Applicants in both
Application

Vs

M.Sivalingam

O.No.10, N.No.14,

Sadayappan Street,

Mandavelli, Chennai-28.

...Respondent in both
Application

A.No.537 of 2017

Application praying that this Hon'ble Court be pleased to set aside the exparte order date 09.08.2016 passed in C.S.545/2007.

A.No.538 of 2017

Application praying that this Hon'ble Court be pleased to condone the delay of 124 days in filling the set aside the exparte order petition.

These applications coming on this day before this court for hearing the court made the following order:

These applications are filed to set aside the ex-parte order dated 09.08.2016 in C.S.No.545 of 2007 and to condone the delay of 124 days in filing the petition to set aside the ex-parte order.

2.The learned counsel for the respondent has filed a common counter affidavit and doubted the maintainability of these applications. At this stage, learned counsel for the petitioner submitted that, she would withdraw the applications as not pressed and seeks dismissal of the applications. Learned counsel for the petitioner also made an endorsement to that effect.

3.In the above C.S.No.545 of 2007, this Court passed judgment

and decree on merits, on 09.08.2016. Hence, these applications are not maintainable. Recording the submissions made and in view of the endorsement, these applications are dismissed as not pressed.

Sd/.P.V.J
10.02.2017

//Certified to be a true copy//

Dated this the day of 2017.

MD/14.02.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the
Order/Judgment Decree in this format.