



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twentieth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.9853 of 2017
IN
CRP(MD) No.882 of 2017

K. RAMACHANDRAN (DIED)
1.K. DHANRAJ
K. MOORTHY (DIED).
2 VANAJOOTHI @ MANI
3 NAGARAJ
4 KALPANA
5 M. VENNILA
6 B. SUMITHRA
7 LATHA
8 SUDHA @ JAYA SUDHA
9 GOWTHAMI

... PETITIONERS / PETITIONERS

Vs

N. NAGAMMAL

... RESPONDENT / RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order of default dismissal dated 9.6.2017 passed in CRP No.882/2017 and restore the civil revision petition in CRP No.882/2017 to the file of this Honourable Court and thus render justice.

PRAYER IN CRP(MD) No.882 of 2017:-

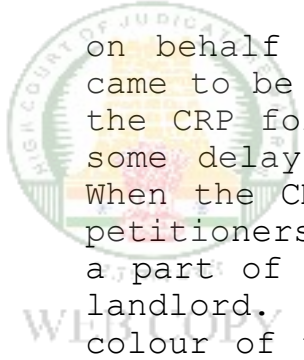
to set aside the order of the Learned Revenue Court, Special Deputy Tahsildar, Tiruchirapalli dated 06.05.2016 in petition no.144/2005 amended by order dated 15.03.2017 in petition no.144/2005 and to pass such further or other orders as this Hon'ble Court.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.MAGESH KUMAR, Advocate for the petitioners and of Mr.J.ANAND KUMAR, Advocate for Caveator, on behalf of the Respondent, the court made the following order:-

The main revision petition has been filed by the cultivating tenants. Interim stay was granted on certain conditions. Conditions were not complied with.

<https://hcservices.ecourts.gov.in/hcservices/>

2.When the CRP was posted for hearing, there was no appearance



on behalf of the petitioners. Therefore, on 09.06.2017, the CRP came to be dismissed for default. To set aside the order dismissing the CRP for default, CMP(MD)No.9853 of 2017 was filed. There was some delay in filing the said petition. The delay was condoned. When the CMP was taken up for hearing, this Court indicated to the petitioners that as a condition for restoration of the CRP, atleast a part of the arrears amount will have to be paid directly to the landlord. For the last 17 years, the landlord has not seen the colour of the coin. It was in these circumstances that this Court insisted that the tenant should pay atleast a portion of the arrears amount. Even though sufficient opportunity was given, the tenants are not in a position to pay the money to the landlord.

3.In view of the conduct of the tenants, I am constrained to dismiss this petition. This Civil Miscellaneous Petition is therefore dismissed.

sd/-

20/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE SPECIAL DEPUTY TAHISLDAR,
REVENUE COURT, TIRUCHIRAPALLI

+1cc to Mr.J.ANAND KUMAR, Advocate, Sr.No.93984

JAM/26.12.17/PN/ SAR 4 / 2p-3c

ORDER

IN

CMP(MD) No.9853 of 2017

IN

CRP(MD) No.882 of 2017

Date :20/12/2017