



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2017

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

C.R.P. (MD) No. 916 of 2017 (PD)
and
C.M.P. (MD) No. 4016 of 2017

T.Sri Ranganathan

.. Petitioner

Vs.

- 1.A.Ramachandran Nadar
N.Santhappan (Died)
 - 2.P.Azhagesan
 - 3.B.Kannan
 - 4.R.Murugan
 - 5.Vadalikattuvelai Oor Sriman
Narayanaswamy Kovil,
South Soorankudy,
Dharamapuram village,
Agasteeswaram Taluk,
Kanyakumari District,
Rep. by the Present Office Bearers.
 - 6.C.A.Venugopal
 - 7.P.Chintamani
I.Rajagopal (Died)
 - 8.R.Rajamannar
 - 9.Gnana Sekharan
R.Rajasekaran (Died)
 - 10.I.Thanukrishnan
 - 11.T.Suyambukani
 - 12.R.Sumathy
 - 13.R.Vigneswaran
- (No Relief Against the Respondents 5
to 13 Hence the Respondents 5 to 13
are not necessary parties)

.. Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair order and decretal order made in I.A.No.566 of 2008 in O.S.No.676 of 2006 on the file of the 1st Additional District Munsif, Nagercoil, Kanyakumari District, dated 21.01.2017.

**ORDER**

This Revision petition is directed against the order passed by the Trial Court, allowing the application of the plaintiff to restore the suit on file, which was dismissed for default on 25.01.2008.

2.The application to set aside the order of dismissal has been filed in time. Therefore, taking note of the fact that the suit has been filed under Order 1 Rule 8 of CPC in the representative capacity and taking note of the larger interest in this suit, the Trial Court has allowed the Restoration Application on cost.

3.There is no infirmity or illegality in the order impugned before this court for entertaining revision under Article 227 of the Constitution of India.

4.Hence this Revision Petition is dismissed. Consequently, Connected Miscellaneous petition C.M.P.(MD).No.4016 of 2017 is closed. No Costs.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

The 1st Additional District Munsif,
Nagercoil, Kanyakumari District.

C.R.P.(MD)No.916 of 2017(PD) and
C.M.P.(MD) No. 4016 of 2017

JM/RSK/05.05.2017/2P/2C