

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition Nos.3981 and 3982 of 2017

Common Order:

Both these revisions arise out of the orders passed by the trial Court allowing the applications under Order IX, Rule 13 CPC.

2. Heard Mr. Subba Reddy S., learned counsel for the petitioners.

3. The applications under Order IX, Rule 13 CPC were filed independently by the 1st defendant and the 3rd defendant within 3 days of an *ex parte* decree being passed. There was no delay on the part of the respondents in filing the applications under Order IX, Rule 13 CPC. Therefore, the Court below had dealt with the applications in a very lenient manner.

4. The main objection of the learned counsel for the petitioners is that a reason which is completely contrary to the law laid down by the Supreme Court, was stated on oath by the respondents in their Affidavits in support of the applications under Order IX, Rule 13 CPC and that therefore the Court below ought not to have allowed the applications.

5. But many times the realities stare at our face. Therefore, I find no material irregularity in the orders of the trial Court to interfere with the same. Hence, the revisions are dismissed. The miscellaneous petitions, if any, pending in these revisions shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

11th August, 2017.

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