

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE **N.SESHASAYEE**

C.R.P.(NPD).Nos.2445 and 4603 of 2011

1. Mrs.Munusamy Manthadi
 2. Mrs.Kanniammal (deceased)
 3. Mrs.Vasantha
 4. Mr.Govindarajulu
 5. Mr.Venkatesalu
- ... Petitioners in both C.R.Ps.

Vs

Mrs.Prema ... Respondent in both C.R.Ps.

Common Prayer: Civil Revision Petition is filed under Section 115 of the Civil Procedure Code against the order Order in A.S.Nos.33 and 34 of 2001 in I.A.Nos.14 and 15 of 2009 on the file of the Sub-Court, Thiruvallur, dated 26.11.2009.

For Petitioners : Mr.P.Seshadri

For Respondent : Mr.P.Sivamani
and Mr.M.Kalainathan

COMMON ORDER

The revision petitioners are the defendants in O.S.Nos.280 of 1984

and 72 of 1985. The respondent herein has filed the above said suits for declaration of his title and other ancillary reliefs. The said suits were decreed on 26.02.1993. Challenging the same, the revision petitioners had preferred A.S.Nos.49 of 1993 and 51 of 1993, which were subsequently transferred to Sub-Court, Tiruvallur and were taken on file as A.S.Nos.33 and 34 of 2001. They were subsequently dismissed for default on 21.07.2003. Thereafter, the revision petitioners have preferred applications for restoration of the appeals along with an application for condoning a delay of 945 days in filing the applications for restoring the appeals. They were returned for complying with some defects. After carrying out the defects, the revision petitioners have represented the said applications along with the applications in I.A.Nos.14 and 15 of 2009 to condone the delay of 253 days in representing the said applications. Vide order dated 26.11.2009, the Sub-Court had dismissed both the Interlocutory Applications. Challenging the same, the revision petitioners are before this Court.

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2. Heard Mr.P.Seshadri, the learned counsel for the petitioners and Mr.P.Sivamani and Mr.M.Kalainathan, the learned counsels for the respondent.

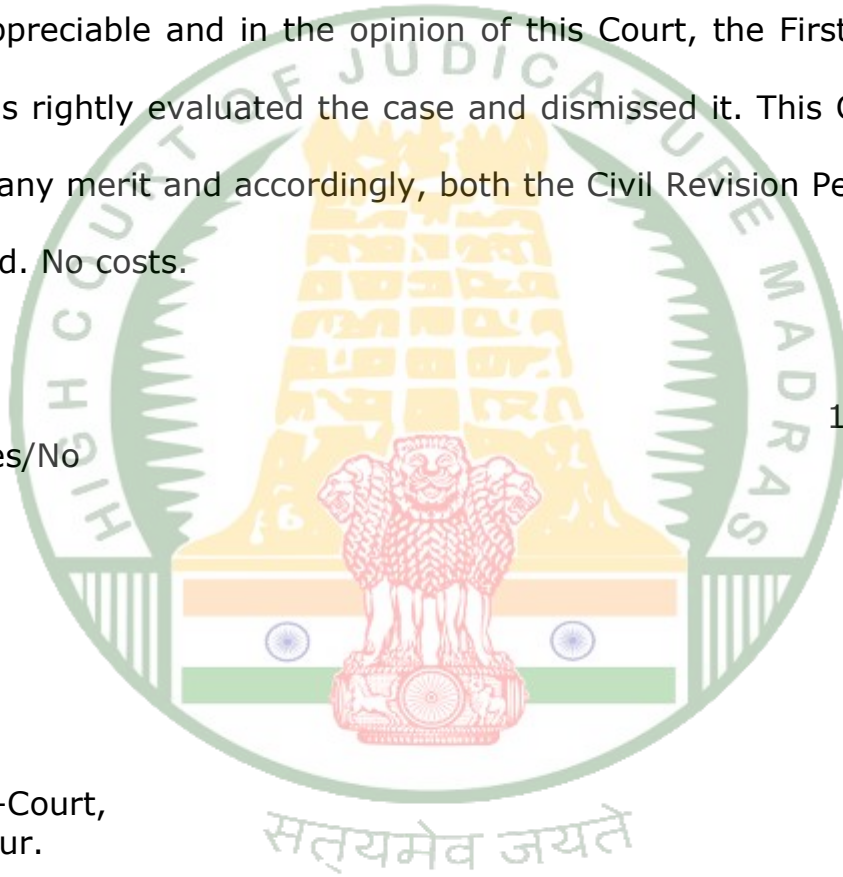
3. On perusing the material papers, this Court is satisfied that the petitioners appeared to have made it a habit of prolonging the judicial proceedings, and participating in judicial proceedings on their terms appeared to have become a second nature to them. This is not appreciable and in the opinion of this Court, the First Appellate Court has rightly evaluated the case and dismissed it. This Court does not find any merit and accordingly, both the Civil Revision Petitions are dismissed. No costs.

19.04.2018

Index:Yes/No
ssn

To

The Sub-Court,
Thiruvallur.



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N.SESHASAYEE, J.,

ssn



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