

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (NPD) No. 512 of 2018

1. T.N.P. Muthu Natarajan
 2. N. Ravindran
 3. S. Sarangarajan
- ... Petitioners

Vs

1. Dr. P.V. Ravi
Chairman and Managing Director
Tiruppur Education Foundation
Nanappa Polytechnic College
No.36 KPN Colony 1st Street
Tiruppur 641 601
 2. T.R. Karthik
Trustee
Tiruppur Education Foundation
Nanappa Polytechnic College
No.36 KPN Colony 1st Street
Tiruppur 641 601
- .. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and final order dated 24.11.2017 passed by the learned Principal District Judge, Tiruppur in I.A. No. 1913 of 2015 in Trust O.P. No.3 of 2014 and pass further orders.

For Petitioners : Mr.P. Maheshkumar

ORDER

The revision petition arises against the fair and final order dated 24.11.2017 passed by the learned Principal District Judge, Tiruppur in I.A. No. 1913 of 2015 in Trust O.P. No.3 of 2014.

2. The learned counsel for the petitioners would submit that the respondents filed the O.P. No.3 of 2014, seeking for injunction against the petitioners and the same was decreed ex-parte. Aggrieved by the same, the petitioners filed I.A. No. 1913 of 2015, to condone the delay of 435 days in filing the application to set aside the decree. The court below dismissed the said application. Challenging the said order, the revision petition is filed before this Court.

3. Heard the learned counsel for the petitioners and perused the material available on record.

4. It is found that though the petition was posted on

24.11.2017 at the request of the petitioners, there was no representation on the side of the petitioners. It is observed that there is no merits in the petition, the order also says that the petitioners have not come forward to explain the delay. Therefore, it is open to the revision petitioners to file appropriate application before the trial court. At this stage, revision petition is not maintainable. Hence, the Civil Revision Petition is liable to be dismissed.

5. Therefore, the Civil Revision Petition is dismissed, with the above direction. No costs.

14.02.2018

Index : Yes/ No

Speaking order/ Non speaking order

[Issue order copy on or before 24.04.2018]

avr

To

The Principal District Judge
Tiruppur.

WEB COPY

D. KRISHNAKUMAR J.,

avr



CRP (NPD) No. 512 of 2018

14.02.2018

WEB COPY