

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP(PD).No.642 of 2018

D.M.Justin Patric Pushparaj

... Petitioner

Vs

1.N.Chelladurai
2.Michael Antony
3.Sundar

... Respondents

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India against order of IV Additional District Judge, Tiruvallur @ Ponneri made in Unnumbered IA.No. 2017 (SR.No.2742 of 2017 dated 03.10.2017)

For Petitioner

: Mr.M.R.Senthil Kumar

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ORDER

According to the revision petitioner, the first respondent has filed a suit in OS.No.33 of 2015 for specific performance against the other respondents on the file of the IV Additional District Judge, Tiruvallur @ Ponneri. In the aforesaid suit, ex-parte decree was passed on 07.01.2016. Pursuant to that, the revision petitioner has filed the

instant application in unnumbered IA.No. 2017 (SR.No.2742 of 2017) to condone the delay of 604 days in filing an application to set aside the above ex-parte decree. The said application was dismissed by the court below. Challenging the said order, the revision petitioner has filed the present Civil Revision Petition before this Court.

2. On perusal of the impugned order, it is seen that the instant application has been dismissed by the court below as not maintainable on the ground that the revision petitioner is not a party in the said suit. Therefore, there is no error or illegality in the order passed by the court below. However, it is for the revision petitioner to work out his remedy before the appropriate forum.

3. In the light of the above, the Civil Revision Petition is dismissed with above direction. No costs.

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23.02.2018

Speaking/Non-Speaking order

Index :Yes/No

Internet:Yes/No

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To

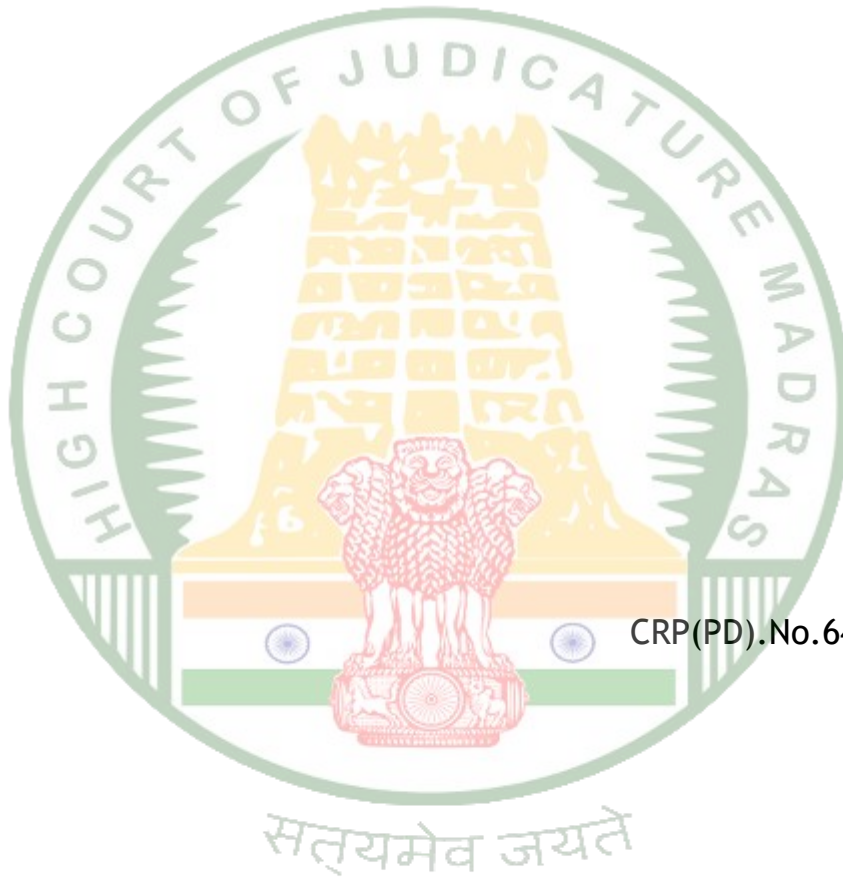
The IV Additional District Judge,
Tiruvallur @ Ponneri



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D. KRISHNAKUMAR J.,

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