

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP(PD).No.648 of 2018
and CMP.No.3356 of 2018

K.Arumugam

.. Petitioner

Vs

1.K.M.Amarlingam
2.Yasodha
3.Vajaram
4.Jeya
5.Senthilkumar
6.Uma Maheswari
7.Sasikumar
8.Revathi
9.Elango
10.Bharathi

.. Respondents

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 02.12.2016 made in IA.No.144 of 2015 in OS.No.456 of 2010 on the file of Subordinate Court, Tambaram, Kancheepuram District to set aside the same.

ORDER

According to the revision petitioner, the respondent has filed an application in IA.No.144 of 2015 to condone the delay of 350 days to set aside the ex-parte decree dated 03.02.2014. The said application was allowed on payment of cost of Rs.2,500/- before the Taluk Legal Service, Tambaram on or before 12.02.2016. Challenging the aforesaid order, the revision petitioner has filed the present Civil Revision Petition before this Court.

2. The learned counsel for the revision petitioner would submit that there is no sufficient reasons have been stated in the affidavit. But without considering the objection of the revision petitioner, the court below has allowed the application.

3. It is brought to notice of this Court that the said conditional order has been complied with. At this belated stage, the present Civil Revision Petition has been filed. Therefore, there is no warrant to interfere with the order passed by the court below and the Civil Revision Petition is liable to be dismissed.

4. At this stage, the learned counsel for the revision petitioner seeks this Court to issue direction to the court below to dispose of the suit at an earliest.

5. At the request of the learned counsel for the revision petitioner, this Court is inclined to direct the Subordinate Court, Tambaram to dispose of the suit in OS.No.456 of 2010 on merits and in accordance with law as expeditiously as possible preferably on or before 30.07.2018.

6. The Civil Revision Petition is dismissed with above direction. Consequently, the connected miscellaneous petition is closed. No costs.

सत्यमेव जयते

23.02.2018

Speaking/Non-Speaking order

Index :Yes/No

Internet:Yes/No

lok

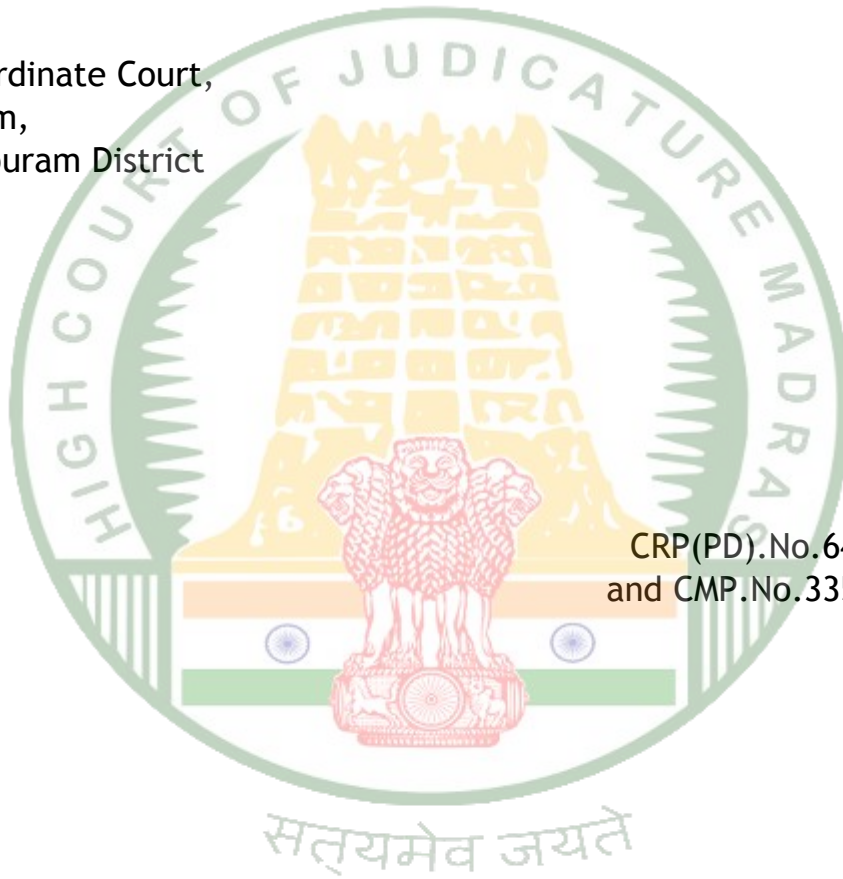
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D. KRISHNAKUMAR J.,

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To

The Subordinate Court,
Tambaram,
Kancheepuram District



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