

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26.04.2018

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.R.P.(NPD).No.2823 of 2016 andC.M.P.No.14335 of 2016

The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam,
Nilgiris District.

... Petitioner

Vs.

J.Robert Raja

... Respondents

Prayer: Civil Revision Petition filed under Section 115 of Code of Civil Procedure, against the Docket order dated 24.08.2016 in E.P.No.13 of 2016 in A.S.No.1 of 2013 on the file of the District Judge, Nilgiris.

For Petitioner : Mr.P.Srinivas

For Respondent : Mr.S.B.Viswanathan

ORDER

The Civil revision petition is filed seeking to set aside the docket order dated 24.08.2016 in E.P.No.13 of 2016 in A.S.No.1 of 2013 on the file of the learned District Judge, Nilgiris, wherein the evidence has been closed and attachment was sought to be ordered by 30.09.2016 and directed to pay batta within 3 days.

2. When the matter was taken up for consideration, the learned counsel

for the petitioner seeks permission of this Court to withdraw the petition with liberty to approach the E.P.Court. The learned counsel has also made the following endorsement in the court bundle, today, to that effect:

"The petitioner seeks liberty to file petition before the E.P. Court for setting aside the Exparte order and work out its remedies. Hence this CRP may be closed granting liberty and approach the E.P.Court"

Sd./-
(P.Srinivas)
counsel for the petitioner

3. In view of the endorsement made by the learned counsel for the petitioner, this civil revision petition is dismissed as withdrawn with liberty to the petitioner to file appropriate petition before the E.P.Court and the E.P Court shall take the petition on file, without insisting upon the period of limitation.

Consequently, connected miscellaneous petition is closed. No costs.

26.04.2018

Index:Yes/No
Speaking order / Non speaking order
vum

To
The District Judge,
Nilgiris

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P.VELMURUGAN, J.,

vum



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