



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.1837 of 2018

and

C.M.P. (MD) .No.8042 of 2018

S.Murugesan

.. Petitioner/
Respondent / Plaintiff

vs.

Chinnaponnu

.. Respondent /
Petitioner / Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to call for the records pertaining to the fair and decreetal order in IA No.310 f 2017 in O.S.No.197 of 2015 dated 07.06.2018 on the file of the Learned Principal Subordinate Judge, Dindigul and set aside the same.

For Petitioner : Mr.A.Hariharan

ORDER

The plaintiff in O.S.No.197 of 2015 on the file of the learned Principal Sub Judge, Dindigul is the revision petitioner herein. The revision petitioner obtained an exparte judgment and decree on 01.04.2016. The same has been set aside by the impugned order on payment of nominal cost. The learned counsel for the petitioner points out that eventhough the learned trial Judge has given findings against the defendant, she has still chosen to allow the same on a misplaced sympathy.

2. This Court is of the view that discretionary order of this nature does not warrant interference at the hands of this Court. However, the suit itself has to be disposed of expeditiously, this Court even while sustaining the order impugned in the civil revision petition directs the learned trial Judge to dispose of O.S.No.197 of 2015 within a period of three months from the date of receipt of a copy of this order.

3. With the above direction, this Civil Revision Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is dismissed.

Sd/
Assistant Registrar (AD-I)

/True copy/



To

1. The Principal Subordinate Judge,
Dindigul.

2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1cc to Mr.A.Hariharan, Advocate, SR.No.81008

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PJL

KK/SKN/SAR-4/30.10.2018/2P-5C