



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHANC.R.P.(MD).No.680 of 2017

S.Senthurpandi @ Senthur ... Petitioner/Petitioner/
Plaintiff

Vs.

Muthiah (Died)

1. M.Samuel Raj
2. M.Abraham ... Respondents/Respondents/
Defendants

PRAYER : Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the fair and decretal order passed in I.A.No.754 of 2015 in O.S.No.521 of 2009, dated 10.06.2016 on the file of the Principal District Munsif Court, Tirunelveli.

For Petitioner : Mr.H.Arumugam
For Respondents : Mr.T.Selvam

O R D E R

The plaintiff in O.S.No.521 of 2009 on the file of the learned Principal District Munsif, Tirunelveli, is the Revision petitioner herein. It is a suit for permanent prohibitory injunction. The same came to be dismissed for default. The Revision petitioner applied for restoration. But there was a delay of 1382 days in filing the restoration application. To condone the same, I.A.No.754 of 2015 was filed. The Court below dismissed the said application. Questioning the same, the Civil Revision petition has been filed.

2. This Court is of the view that the order impugned passed by the Court below does not warrant any interference. The Civil Revision petition stands dismissed, accordingly. However, the Revision petitioner is given liberty to file a fresh suit on the cause of the action that may presently subsist. No costs.

Sd/-

Joint Registrar (Judl.)

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Sub Assistant Registrar(CS-I)



To

1. The Principal District Munsif,
Tirunelveli.

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

+1 CC To MR.T.SELVAN, Advocate SR. NO.84131

+1 CC To MR.H.ARUMUGAM, Advocate SR. NO. 84179

C.R.P. (MD) .No.680 of 2017
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