



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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C.R.P. (NPD) (MD) .No.1135 of 2016

and

C.M.P. (MD) No.5651 of 2016

M.Vijaya

... Petitioner

Vs.

1.K.Duraipandi

2.K.Chandrasekar

3.R.Kulandaiammal

4.Thavamani

5.Muthupillai (Died)

6.V.Muthu

7.M.Ayyanar

8.M.Sonai

... Respondents

PRAYER: Petition filed under Section 115 of Civil Procedure Code, to call for the records in E.A.No.38 of 2015 in E.P.No.5 of 2014 in O.S.No.8 of 2004 on the file of the Principal District Munsif, Manamadurai and set aside the same by allowing the Civil Revision Petition.

For Petitioner : Mr.M.Ponniah

For R1 : Mr.V.Lakshmanan

For R2 to R4 : No appearance

For R5 : Died

For R6 to R8 : No appearance

ORDER

The second defendant in the suit is the revision petitioner herein. The revision petitioner suffered a decree and she is said to have filed a First Appeal. The said First Appeal appears to have been dismissed for default and the revision petitioner has now applied to that Court, seeking its restoration. When the matter is pending at this stage, the execution proceedings were instituted and were taken to their logical conclusion.

2. Therefore, at this stage, there is nothing for this Court to interfere in this Civil Revision Petition. The revision petitioner will have to work out her rights only in the first appeal filed by her.

3. The revision petitioner had filed I.A.No.217 of 2015 for condoning the delay in applying for restoration of A.S.No.84 of 2005, pending before the learned Subordinate Judge, Sivagangai. The learned Subordinate Judge, Sivagangai is directed to expedite the disposal of the I.A.No.217 of 2015.



4. With this observation and direction, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

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/True Copy/

Sd/-

Assistant Registrar (P&A)

Sub Assistant Registrar (CS-IV)

To

1. The Principal District Munsif,
Manamadurai.

2. The Sub-Judge,
Sivagangai.

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 Copies)**

+1CC to Mr. M. Ponniah, Advocate, SR.No. 88434

+1CC to Mr. V. Lakshmanan, Advocate, SR.No. 88595

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PNN

ES/RP/SAR 4/12.11.2018/2P/7C