



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.130 of 2016

Thangadurai

..Petitioner/Petitioner/Plaintiff

vs.

Jayalakshmi

..Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, against the fair and decreetal order dated 04.11.2015 passed in I.A.No.571 of 2014 in O.S.No.321 of 2010 on the file of the learned Principal District Munsif, Karur.

For Petitioner : Mr.S.Deenadhayalan

For Respondent : Mr.M.P.Senthil

ORDER

The plaintiff in O.S.No.321 of 2010 on the file of the learned Principal District Munsif, Karur is the revision petitioner herein. It appears that the suit was dismissed for default. It was subsequently restored subject to payment of cost. The plaintiff filed I.A.No.571 of 2014 for extension of time. The said IA was dismissed by order, dated 04.11.2015. Questioning the same, this Civil Revision Petition has been filed.

2. This Court is of the view that the revision petitioner can be given one more opportunity. In this view of the matter, the order impugned in this Civil Revision Petition is set aside. This Civil Revision Petition is allowed. However, the revision petitioner by his conduct has contributed to the delay in the conclusion of the proceeding. Therefore, the revision petitioner is directed to pay a further cost of Rs.2000/- to the defendant directly within a period of two weeks from the date of receipt of a copy of this order. If the defendant is not willing to accept the same, the same shall be deposited before the Court below. In other words, the revision petitioner shall pay a total sum of Rs.3,500/- to the defendant herein. Since the suit is of the year 2010, the Court below is directed to dispose of the suit within a



period of three months from the date of receipt of a copy of this order.

3. With these directions, this Civil Revision Petition stands allowed. No Costs.

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Sd/-
Assistant Registrar (Protocol)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Principal District Munsif,
Karur.
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.S.DEENADHAYALAN, ADVOCATE IN SR No. 83812
+ 1 CC TO Mr.M.P.SENTHIL, ADVOCATE IN SR No. 83838

PJL
TE/SV/SAR-1 : 30/10/2018 : 2P/6C

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