



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

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CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.1593 of 2016

M.Venugopal

.. Petitioner/Petitioner/
Plaintiff

vs.

N.Damodaran

.. Respondent/Respondent/
Defendant

PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, against the fair and decreetal order dated 14.07.2016 passed in I.A.No.329 of 2015 in O.S.No.83 of 2009 on the file of the Sub Court, Theni.

For Petitioner : Mr.M.Saravanan
for M/s.R.Subramanian

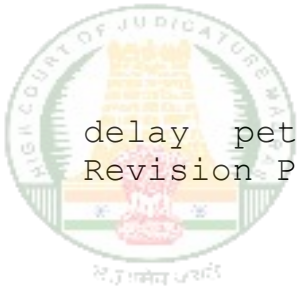
For Respondent : Mr.S.Siva Thilakar

ORDER

The plaintiff in O.S.No.83 of 2009 on the file of the Sub Court, Theni is the revision petitioner herein. It is a suit for specific performance. It was dismissed for default on 07.03.2011. To restore the same, the plaintiff filed an application under Order 9 Rule 9 CPC. There was a delay of 1549 days in filing the said restoration application. To condone the said delay I.A.No.329 of 2015 was filed. The Court below by the impugned order dated 14.07.2016 dismissed the said IA. Questioning the same, this Civil Revision Petition has been filed.

2. Heard the learned counsel appearing on either side.

3. This Court is of the view that the delay occurred in this case is too inordinate and that sufficient cause has not been made out. The Court below is justified in dismissing the condone



delay petition. Finding no ground to interfere, this Civil Revision Petition stands dismissed. No Costs.

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Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Subordinate Judge,
Theni.

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

+ 1 CC TO Mr.R.SUBRAMANIAN, ADVOCATE IN SR No. 86257

+ 2 CC TO Mr.S.SIVATHILAKAR, ADVOCATE IN SR No. 86728 & 86171

PJL

TE/PM/SAR-3 : 27/10/2018 : 2P/7C

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