



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP(MD)No.2045 of 2016 (NPD)
and
CMP(MD)No.9598 of 2016

S.Sreedharan

...Revision Petitioner/
Defendant

Vs.

J.Jebamanidhas

...Respondent/Plaintiff

Prayer: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 28.07.2016 made in E.A No.90 of 2016 in E.P No.25 of 2012 in O.S No.101 of 2009 on the file of the Subordinate Judge, Padmanabhapuram.

For Petitioner: Mr.T.Selvakumaran

For Respondent: Mr.K.Sreekumaran Nair

ORDER

The revision petitioner is the defendant in O.S No.101 of 2009 on the file of the learned Subordinate Judge, Padmanabhapuram. The said suit was decreed after a contest. The decree has not been challenged in appeal and it has now become final. To execute the same, the plaintiff filed E.P No.25 of 2012. The revision petitioner/defendant was set exparte in the E.P. To set aside the same, he filed E.A No.90 of 2016. The same was dismissed. Challenging the same, this civil revision petition has been filed.

2.This Court while admitting this civil revision petition granting an interim order and put the revision petitioner on terms. The revision petitioner did not even comply with the same. As rightly pointed out by the learned counsel appearing for the revision petitioner, the petition for setting aside was not filed in time but long after.

3.Looked at from any angle, the revision petitioner is not entitled to given any indulgence. This civil revision petition is



dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS-III)

To

The Subordinate Judge, Padmanabhapuram.

+ 1 CC TO MR.K.SREEKUMARAN NAIR, ADVOCATE IN SR NO.85859

SKM

BU/RSk/SAR-III:29.10.2018 : 2P/3C

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