



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (PD) (MD) No.2060 of 2018
and
CMP(MD)No.9131 of 2018

1.Mohamed Sheriff

2.Mohamed Shafi

... Petitioners

Vs.

S.Mohamed Farooq

... Respondent

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 20.06.2018 made in I.A No.180 of 2018 in I.A No.29 of 2018 in O.S No.89 of 2009 on the file of the Principal Sub Court, Thanjavur.

For Petitioners : Mr.K.Hema Karthikeyan

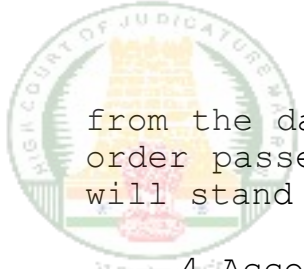
For Respondent : No appearance

ORDER

The defendants in O.S No.89 of 2009 on the file of the Principal Sub Court, Thanjavur are the revision petitioners herein. It is a suit for permanent injunction. The defendants filed I.A No.29 of 2018 for submission of additional written statement. The I.A was allowed on payment of costs. The petitioners could not comply with the said order. Therefore, they wanted extension of time. In the meanwhile, the I.A itself was dismissed. Questioning the same, this civil revision petition has been filed.

2.Though the respondent has been served and his name also printed in the cause list, he has not chosen to enter appearance either in person or through counsel.

3.This Court is of the view that in view of the circumstances set out in the affidavit, an indulgent approach is warranted. In this view of the matter, the order impugned in this civil revision petition is set aside. The petitioners are given two months time



from the date of receipt of a copy of this order to comply with the order passed by the court below to pay the costs. I.A No.29 of 2018 will stand restored. I.A No.180 of 2018 stands allowed.

4. Accordingly, this Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-III)

To

The Principal Sub Judge, Thanjavur.

- 1 CC TO Mr.K.Hema Karthikeyan , ADVOCATE IN SR No. 90359.

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