

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.02.2019

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

C.R.P.(NPD).No.192 of 2016

1.Vellaiyammal
2.Ponnusamy
3.Boopathy

Revision Petitioner/
Petitioners/Appellants

-vs-

1.Sellammal
2.Sundarammal
3.Rajammal

Respondents/
Respondents 1 to 3/
Respondents 1 to 3

4.Velliyammal

Respondent/4th Respondent
4th Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, against the Order passed in I.A.No.214 of 2014 in Unnumbered A.S.No. Of 2014 on the file of the Principal District Judge, Salem dated 13.02.2015.

For Petitioners : M/S.C.K.M.Appaji
For Respondents : Mr.R.Nalliyappan for RR1, 2 & 4
No appearance for R3

ORDER

The above Civil Revision Petition is filed challenging the order dismissing an application filed by the defendants 2 to 4 in I.A.No.214 of 2014 in unnumbered 1st appeal to condone delay of 827 days in filing the appeal.

P.T.ASHA.J

jrs

2.It is seen that the appeal has been filed challenging only the Final Decree proceedings. In the preliminary decree , revision petitioners 2 and 4 have not been allotted any share and it is not known as to how they can contest a Final Decree in which they have no share. Further the reasons given for the delay is also not satisfactory for condoning delay. Except for stating that there was a mediation talk going on between the parties which has not been substantiated by them no other reason has been put forward.

3.Considering the above facts, I do not find infirmity in the order passed by the learned Principal District Judge, Salem, dismissing the said application. It is also seen that the learned Principal District Judge, Salem has passed the decreetal order in the year 2011. In the result, the Civil Revision Petition stands dismissed. No costs.

WEB COPY 22.02.2019

Index : Yes/No
Internet : Yes / No
Speaking/non-speaking order
jrs

To
The Principal District Judge, Salem