

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2019

CORAM:

THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR

C.R.P.(PD)No.2899 of 2019

1.Sivakumar
2.Murugesan
3.Sathya
4.Nagarajan

... Petitioners

Vs.

1.Rangasamy
2.Sivakumar
3.Mohanraj

... Respondents

Prayer: Petition filed under Article 227 of the Constitution of India to set aside the fair and decretal order in I.A.No.135 of 2018 in O.S.No.195 of 2016 dated 18.12.2018 on the file of the Principal District Munsif, Namakkal.

For Petitioners : Mr.K.Selvakumar

ORDER

This revision has been filed against the fair and decretal order passed in I.A.No.135 of 2018 in O.S.No.195 of 2016 on the file of the Principal District Munsif, Namakkal, by order dated 18.12.2018.

2.In the said order, the I.A.No.135 of 2018 filed by the respondents herein under Section 5 of the Limitation Act, to condone the delay of 65 days in filing the petition, to set aside the *ex parte* decree, which was passed in the main suit on 27.07.2017, was allowed.

3.I have gone through the impugned order, where the learned Judge, after having gone through the reasoning given by the respondents herein, who are the petitioners in the I.A. and in order to give one more chance to the petitioners therein, who are the respondents herein, to persuade the suit on merits, the said I.A. was allowed and the delay of 65 days was condoned.

4.Since the delay of 65 days is very minimum, the learned Judge has taken the view that it can be allowed.

5.I find no infirmity in the said order, as the delay was very minimal and the same has been condoned, that too on payment of cost of Rs.500/-. Therefore, as against the said order, since the present revision has been filed, this Court is not inclined to entertain

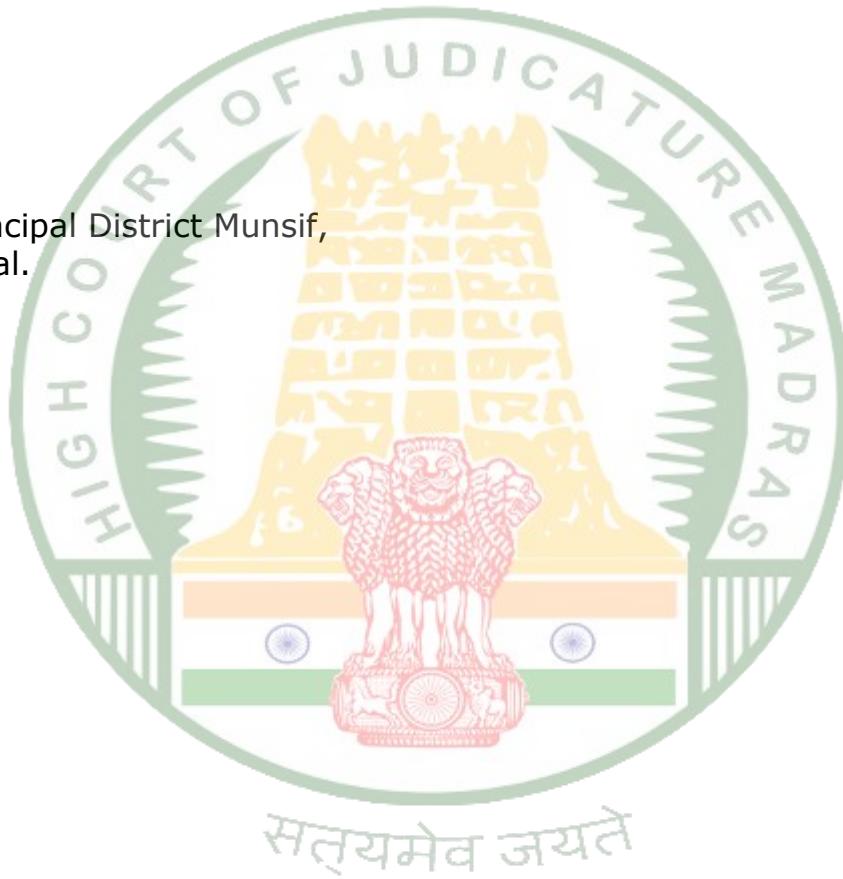
the same. Accordingly, the Civil Revision Petition is dismissed as devoid of merits. No costs.

04.09.2019

Sgl

To

The Principal District Munsif,
Namakkal.

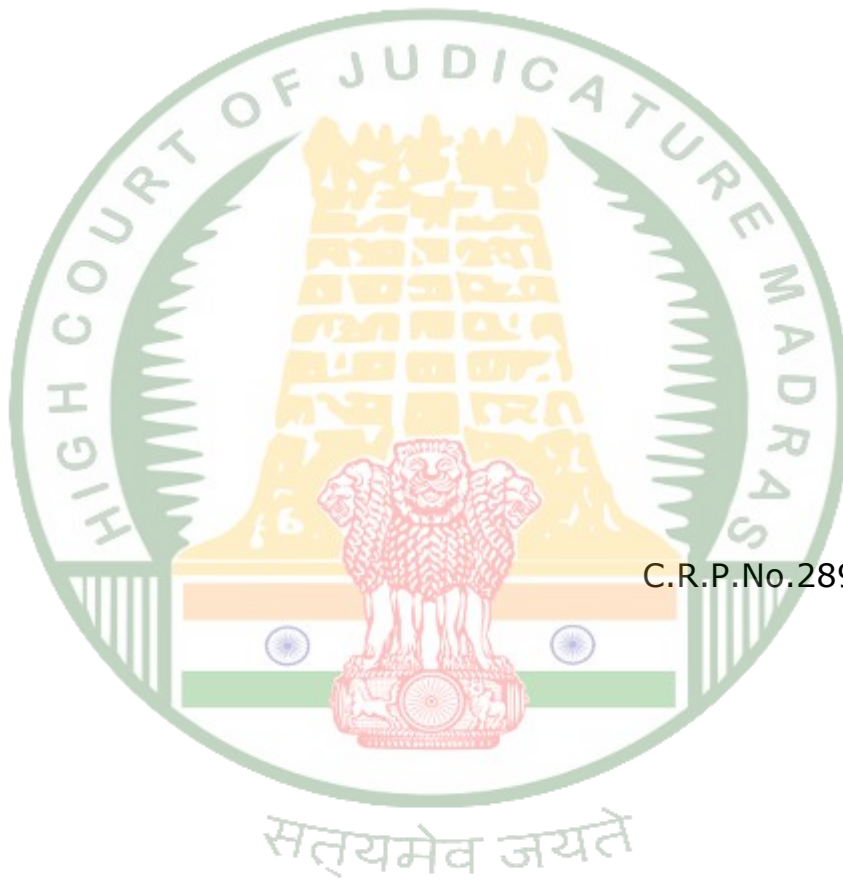


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R.SURESH KUMAR, J.

Sgl



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