

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(PD).No.2832 of 2018
&
C.M.P.No.16642 of 2018

Maragathamani

...Petitioner

Vs

N.Manoharan

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India as against the fair and decreetal order dated 20.07.2018 passed in I.A.No.77 of 2017 in R.C.O.P.No.25 of 2014 by the learned Principal District Munsif, Coimbatore.

For Petitioner

:

Mr.M.Praveen Kumar

For Respondent

:

No Appearance

ORDER

The above Civil Revision Petition is filed challenging the dismissal of an application seeking to condone the delay of 282 days in filing an application to set aside the *ex parte* order passed in R.C.O.P.No.25 of 2014 on 09.12.2015.

Though sufficient reasons have not been given for the condonation of the delay, however, taking into account the fact that the respondent is none other than the revision petitioner's brother, considering, the relationship of the parties this Court is of the opinion that the delay may be condoned.

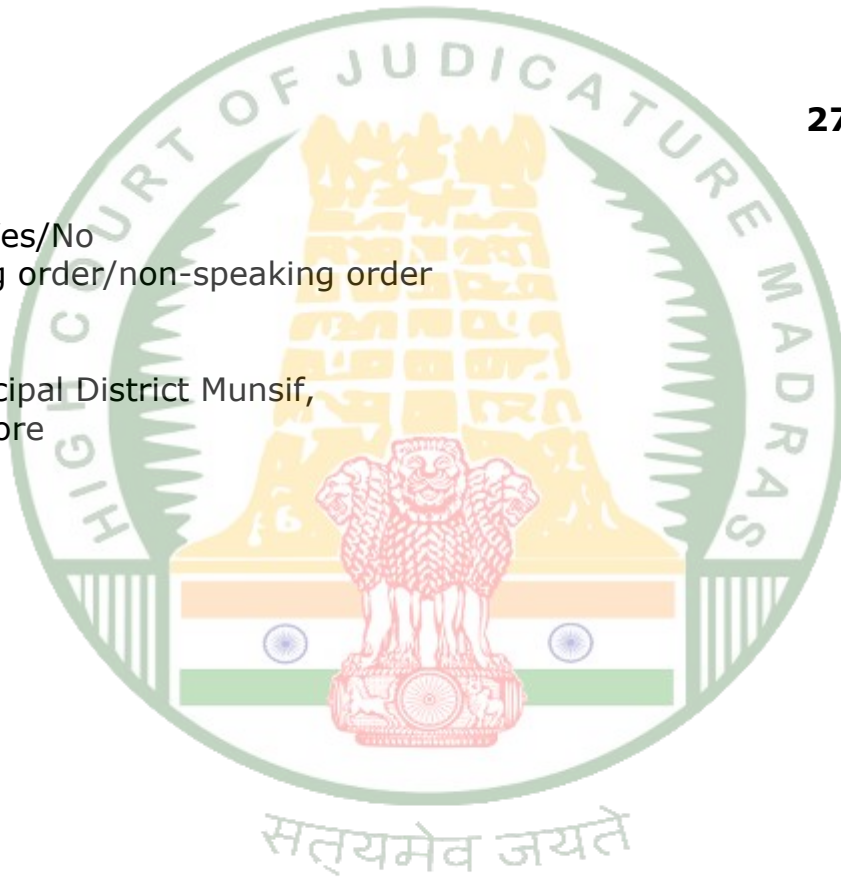
In the result, the Civil Revision Petition is allowed and the order in I.A.No.77 of 2017 is set aside and the learned Principal District Munsif (Rent Controller), Coimbatore, is directed to set aside the *ex parte* order and take R.C.O.P.No.25 of 2014 on to file on condition that the revision petitioner pays a sum of Rs.5,000/- (Rupees Five Thousand only) to **M/s.Seva Chakara Samajam, No.89/41, Sami Pillai Street, Chennai – 600 112**, on or before 14.03.2019 and post the matter for reporting compliance on 19.03.2019.

The Civil Revision Petition is allowed on the above lines. There shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is also closed.

27.02.2019

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

To,
The Principal District Munsif,
Coimbatore



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P.T.ASHA, J.,

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