

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P(NPD)No.2066 of 2019

and

C.M.P.No.13345 of 2019

T.Pushpa

... Petitioner

Vs.

1.S.Chandran

2.The Sub-Registrar of Avadi,
O/o. The Sub-Registrar Avadi,
Chennai.

... Respondents

Prayer: Civil Revision Petition filed under Article 115 of Code of Civil Procedure seeking to set aside order of allowing of application for setting aside the exparte order dated 06.12.2019 suit in I.A.No.280 of 2018 in O.S.No.167 of 2017 dated 18.03.2019 and subsequent order on memo dated 24.04.2019 on the file of the III Additional District Court, Tiruvallur at Poonamallee.

For Petitioner

: Mr.Mohamed Ghouse

For Respondents

: No Appearance

ORDER

The Revision Petitioner herein is the plaintiff in O.S.No.167 of 2019.

2. The 1st defendant was set ex-parte on 06.12.2019 and on the next hearing itself, the 1st defendant filed a petition in I.A.No.280 of 2018 in O.S.No.167 of 2017 to set aside the ex-parte order along with written statement and the said petition was allowed on 18.03.2019. Aggrieved over the same, the revision petitioner preferred the above Civil Revision Petition.

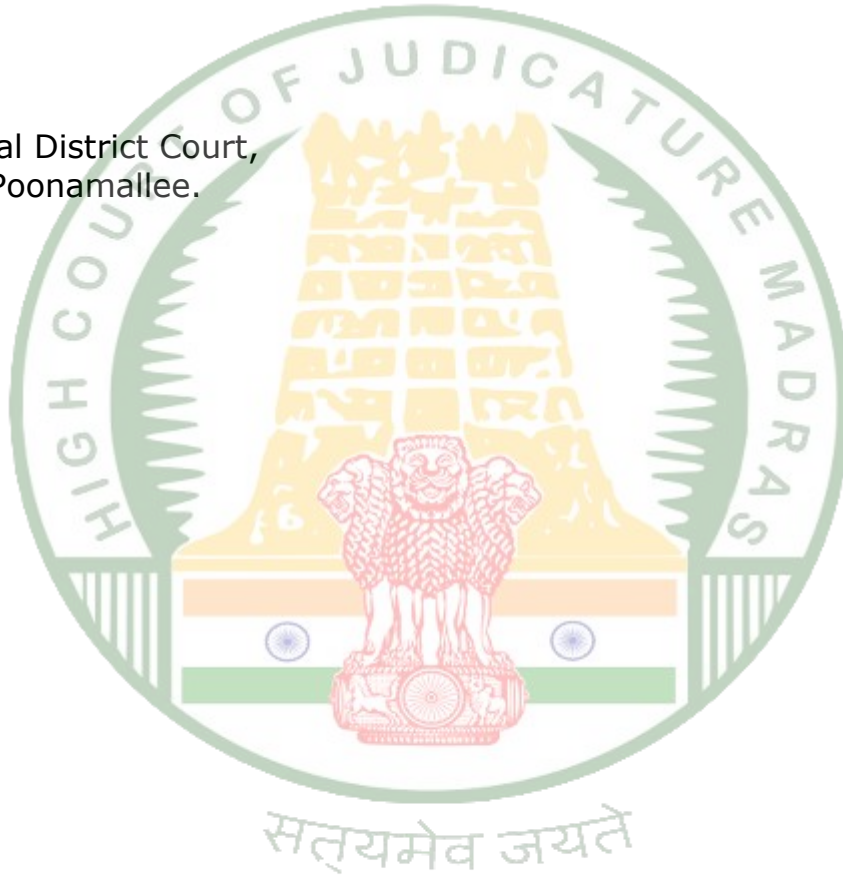
3. Under Order 9 Rule 7 of CPC any reason is the good cause for his previous non-appearance. Here the 1st respondent has adduced convincing reason for non-appearance on 06.12.2019. Taking into consideration of the same, the trial Court has allowed the said petition. This Court does not find any infirmity in the impugned order. Accordingly, the Civil Revision Petition is dismissed. However, a direction is given to the trial Court to dispose of the suit in O.S.No.167 of 2017 as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

28.06.2019

Index:Yes/No
Internet:Yes/No
Speaking Order/Non Speaking Order

To

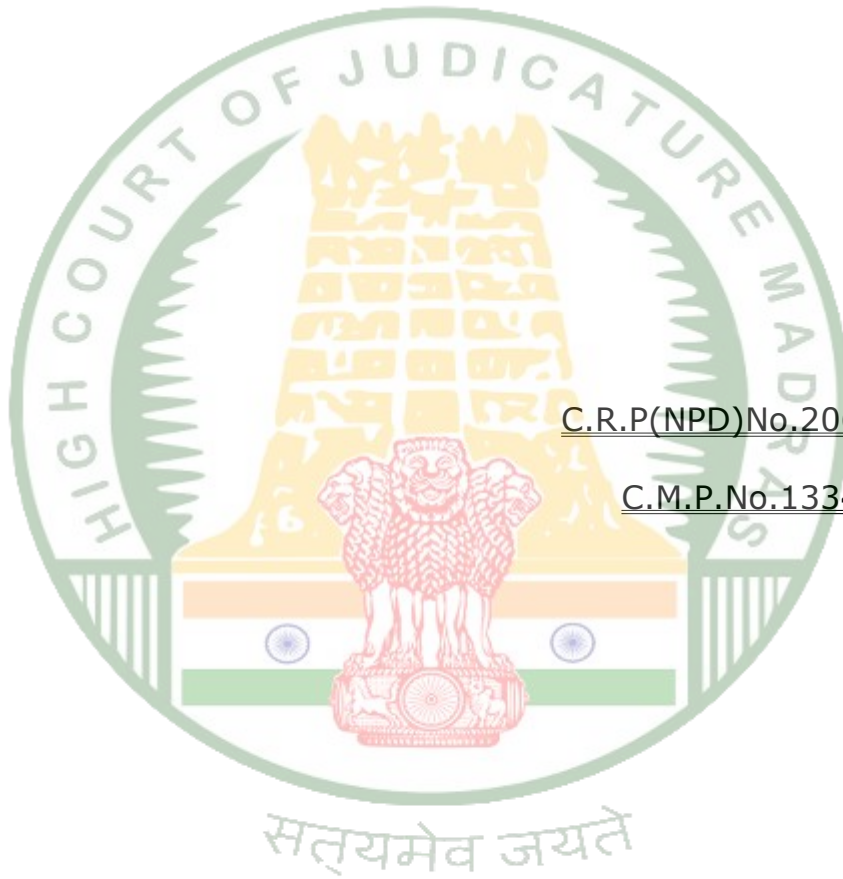
The Judge,
III Additional District Court,
Tiruvallur, Poonamallee.



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M. GOVINDARAJ, J.

bri



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