

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2019

CORAM

The HON'BLE MR.JUSTICE M.DURAI SWAMY

Review Application No.126 of 2014  
in M.P.No.1 of 2007 and  
S.A.SR.No.34278 of 2007

Soundaram

... Applicant

v.

1.Baghiam  
2.Lakshmi

... Respondents

Review Application filed under Order XLVII Rule 1 of the Civil Procedure Code against the order dated 19.03.2014 passed in M.P.No.1 of 2007 and S.A.SR.No.34278 of 2007 on the file of this Court.

For Applicant : Mr.Perumbulavil Radhakrishnan\_

ORDER

The petitioner has filed the above Review Application to review the order dated 19.03.2014, made in M.P.No.1 of 2007 and S.A.S.R.No.34278 of 2007, declining to condone the delay of 2883 days in filing the Second Appeal.

2. While dismissing the petition in M.P.No.1 of 2007, this Court took into consideration the averments stated in the affidavit filed in support of the petition and found that the petitioner was not diligent in prosecuting the matter in a proper manner. The petitioner remained *ex parte* before the Lower Appellate Court and the appeal was disposed of in the year 1997, however, the copy application was made by the petitioner only in the year 2006 and the Second Appeal was filed in the year 2007. Not convinced with the reasons stated in the affidavit filed in support of the petition, this court had dismissed the petition in M.P.No.1 of 2007 and S.A.S.R.No.34278 of 2007.

3. The petitioner has not made out a case for reviewing the order.

4. There is no error apparent on the face of the record warranting review of the order passed in M.P.No.1 of 2007 and S.A.S.R.No.34278 of 2007. Hence, the Review Application is liable to be dismissed. Accordingly, the Review Application is dismissed. No costs.

07.01.2019

Index : Yes/No

Speaking Order/Non Speaking Order

Rj

M. DURAISWAMY, J

Rj



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