

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE C.SARAVANAN**

C.R.P(NPD).No.1775 of 2015

and

C.M.P.No.7188 of 2016

Adhimoolam Petitioner

Vs.

Meenatchi Ammal ... Respondent

Prayer: Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to set aside the order made in I.A.No.1305 of 2013 in O.S.No.549 of 2007, preferred by the petitioner herein to set aside the exparte order passed in O.S.No.549 of 2007, vide order dated 22.01.2014 on the file of the II Additional District Munsif Court, Kallakurichi, Villupuram District.

For Petitioner : Mr.Susan Mary for Mr.K.J.Nithianandam

For Respondent : Mr.V.Ragavachari

ORDER

The petitioner has filed the present civil revision petition against the order of dismissal made in I.A.No.1305 of 2013 in O.S.No.549 of 2007, preferred by the petitioner herein to set aside the exparte order passed in O.S.No.549 of 2007 dated 22.01.2014 on the file of the II Additional District Munsif Court, Kallakurichi.

2. The petitioner is the defendant in the above suit, which was filed under order 9 Rule 13 of C.P.C. The petitioner had filed an interlocutory application, which was allowed subject to deposit of a sum of Rs.15,000/- (Rupees fifteen thousand only), by the impugned order.

3. The petitioner now reports that the above amount has been deposited before the II Additional District Munsif Court at Kallakurichi. Further, the learned counsel for the petitioner is unable to produce the same and submits that the same will be produced before the Court concerned.

4. The learned counsel for the respondents has no objection, if the present civil revision petition is allowed subject to the petitioner producing the proof of deposit of sum of Rs.15,000/- as ordered by the lower Court.

5. Consequently, I am allowing the civil revision petition and direct the II Additional District Munsif, Kallakurichi to take up the case for further hearing on production of proof of deposit, within a period of two weeks from the date of receipt of a copy of this order. Since the case pertains to

the year 2007, the II Additional District Munsif, Kallakurichi is also requested to dispose the suit within a period of six months from the date of receipt of a communication of this order.

6. With the above directions, the Civil Revision Petition is disposed of. Consequently, the connected Miscellaneous Petition is also closed.

12.04.2019

Index : Yes/No
Internet : Yes/No
arb

To
II Additional District Munsif Court,
Kallakurichi, Villupuram District.

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C.SARAVANAN, J.

arb



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