

C.M.P.Nos.26117 & 26119 of 2019
in
CRP.Nos.1000 & 1001 of 2014

RMT.TEEKAA RAMAN,J.,

The Civil revision petition has been filed by the third party. Earlier, RCOP.No.1018 of 2018 filed against A.Dhanapal was ordered on 24.08.2010, directing eviction of the tenants within a period of two months. Against the same, R.C.A.No.672 of 2010 was filed by the tenant and the same was dismissed on 13.07.2012 by confirming the order of eviction.

2. Thereafter, the tenants have filed Civil Revision Petitions, being CRP.(NPD).Nos.3550 and 3561 of 2012, which were dismissed by this Court, as against the same, the tenants went to the Hon'ble Supreme Court by way of SLP.Nos.9097 and 9098 of 2013, which were also dismissed by confirming the order of eviction of the tenants. However, the tenants were granted six months time to vacate the suit premises, by filing usual undertaking petition, within a period of four weeks.

3. After going through the records, it appears that an execution petition E.P.No.50 of 2013 was filed, which was objected to by the present petitioner and the same was not considered by the Court below. Hence, the petitioner filed the Civil revision petitions in CRP.Nos.1000 & 1001 of 2014, in respect of the suit premises and the same were dismissed on default for

4. Thereafter, these Civil miscellaneous petitions are filed CMP.Nos.26117 and 26119 of 2019, to condone the delay of 999 days and to restore the Civil revision petitions, which were dismissed for default.

5. After hearing both parties and perusing the records, it is evident that on 10.02.2017, a letter was communicated by the learned counsel for the respondent herein to the petitioner informing about the dismissal of both Civil revision petitions for default on 31.01.2017, through a registered post and the copy of acknowledgment has also been filed, wherein his signature was found, the date of delivery was mentioned as 15.02.2017.

6. That being the case, the petitioner herein having knowledge of dismissal of the CRP.Nos.1000 & 1001 of 2014, filed the present petitions to condone delay by suppressing all material facts. Hence, I do not find any bona-fide reasons stated in the affidavit filed in support of the petition. Accordingly, CMP.Nos.26119 and 26117 of 2019 are dismissed.

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