



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2019

CORAM :

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

C.R.P. (PD)No.1446 of 2007

and

M.P. (MD) No.1 of 2007

K.Parthasarathy

... Petitioner

Vs.

1.T.R.Dakshinamoorthy
2.Kothainayaki
3.Gopal
4.Thirumalai
5.Janaki
6.Muthulakshmi

... Respondents

PRAYER: Civil Revision Petition is filed under Section 227 of Constitution of India against the order made in E.A.No.130 of 2005 in E.P.No.1 of 2004 in O.S.No.107 of 1985 on the file of the District Munsif, Lalgudi dated 13.06.2007.

For Petitioner : Mr.R.Sundar
For Respondents : No appearance

O R D E R

The defendant/judgment debtor is the revision petitioner before this Court. This revision is filed challenging the order passed in E.A.No.130 of 2005 in E.P.No.1 of 2004 on the file of the District Munsif-cum-Judicial Magistrate, Lalgudi condoning the delay of 74 days in filing the application to set aside the order of dismissal dated 20.04.2005 passed in E.P.No.1 of 2004.

2. The grievance of the judgment debtor is that in the affidavit in support of the application to condone the delay, sufficient reasons have not been given by the deponent. Apart from this, no other argument has been put forth.

3. A reading of the affidavit which is filed in support of the said application would indicate that the petitioner has made a certain averments giving reasons in paragraph Nos. 3 to 5 of the affidavit filed in support of the said application. The court below was convinced with the reasons and had allowed the said application.



4. I do not find any reason to interfere with the order passed by the learned District Munsif cum Judicial Magistrate, Lalgudi.

5. In fine, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

CM

To

The District Munsif cum Judicial Magistrate,
Lalgudi.

+1 CC to M/s.R.SUNDAR, Advocate (SR-88940[F] dated 24/09/2019)

C.R.P. (PD)No.1446 of 2007

and

M.P. (MD) No.1 of 2007

24.09.2019

JM/18.10.2019/2P/3C