

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated: 12.12.2019****C o r a m****The HONOURABLE MR.JUSTICE T.RAJA****CRP. (MD) .No.1110 of 2012****and****M.P. (MD) .No.1 of 2012****WEB COPY**

C.Arjuna Raja,
Proprietor,
M/s.Janaki Perumal Agency
Nagercoil.

...Petitioner/Petitioner/1st defendant
Vs.

State Bank of Travancore,
(Association of State Bank of India)
Main Branch, Nagercoil,
rep. by its Branch Manager.

... Respondent/Respondent/ Plaintiff

Prayer: Civil Revision Petition has been filed under Section 115 of the Civil Procedure Code, against the order and decretal order passed in I.A.No.255 of 2011, dated 12.03.2012 in O.S.No.178 of 1999 on the file of the Principal Subordinate Judge, Nagercoil.

For Petitioner : Mr.P.Prabhakaran

For respondents : Mr.R.Pandivel

ORDER

This Civil Revision Petition is directed against the impugned fair and decretal order dated 12.03.2012, passed by the learned Principal Subordinate Judge, Nagercoil in I.A.No.255 of 2011 in O.S.No.178 of 1999.

2.By way of the order impugned, the learned Principal Subordinate Judge, Nagercoil declined to accept the prayer for condoning the delay of 4103 days to set aside the exparte preliminary decree passed in O.S.No.178 of 1999.

3.When there was no sufficient cause explained as to why the exparte preliminary decree should be recalled, this Court also finds no justification to entertain this Civil Revision Petition, since the huge delay of 4103 days has not been explained anywhere.

4.Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Vs

To
The Principal Subordinate Judge, Nagercoil.

+1 CC to M/s.R.PANDIVEL, Advocate (SR-104717[F] dated 12/12/2019)

+1 CC to M/s.P.PRABHAKARAN, Advocate (SR-104729[F] dated 12/12/2019)

CRP. (MD) .No.1110 of 2012

sma /31/1/2020/1p/4c

12.12.2019