



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2019

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD)No.1626 of 2010 (NPD)

1.R.Meenakshi Sundaram (died)

2.M.Selvaramani

3.M.Ragavendran

4.M.Deepalakshmi

5.M.Ramalakshmi

(Respondents 4 & 5 are represented by their
brother and Power Agent -M.Ragavendran,
the third petitioner herein)

... Petitioner/Petitioner
Plaintiffs

(Petitioners 2 to 5 impleaded as LRs of the deceased first
petitioner, as per the order of this Court dated 18.07.2016 made in
C.M.P. (MD) .No.6034 of 2016)

Vs.

1.Marimuthu

2.Minor.Sathya Devi

3.Minor Saranya Devi

... Respondents / Respondents/
Defendants

(R2 and R3 are represented by their natural guardian, father, the
1st respondent herein)

PRAYER: Petition filed under Section 115 of C.P.C. against the fair
and decreetal order dated 09.04.2010 passed in I.A.No.536 of 2008 in
O.S.No.132 of 2000 on the file of the Subordinate Court,
Srivilliputhur.

For petitioners

: Mr.S.Kadarkarai

For respondents

: Mr.J.Sureshkumar,
for Mr.M.Thirunavukkarasu



ORDER

When the matter came up for hearing today, the learned counsel for the petitioner submitted that the first petitioner / plaintiff filed I.A.No.576 of 2000 in O.S.No.132 of 2000 seeking to declare the first respondent as guardian or to appoint a Court guardian for the minor second and third respondents and the said petition was dismissed for default on 26.07.2000. He would further submit that for filing a petition for restoration, there was a delay of 2925 days and in order to condone the same, the first petitioner / plaintiff filed I.A.No.534 of 2008, which was dismissed by the Court below, by order dated 09.04.2010, holding that no sufficient reason assigned to condone the enormous days of delay. Aggrieved by that order, the first petitioner filed this petition. He would further submit that since the respondents 2 and 3 are now attained majority, this petition has become infructuous. Recording the said submission of the learned counsel for the petitioner, this Civil Revision Petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Subordinate Judge,
Srivilliputhur.
- 2.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

C.R.P. (MD)No.1626 of 2010 (NPD)
18.03.2019

GCG

JM/25.04.2019/2P/4C