



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDARC.R.P (NPD) (MD) .No.2377 of 2010

WEB COPY

Ganeshan

.. Petitioner / Petitioner/
Defendant

Vs.

B. Kuruchandran

.. Respondent/Respondent/
Plaintiff

Prayer: Civil Revision Petition filed under Section 115 of the Civil Procedure Code, against the fair and decreetal order dated 23.12.2009 made in I.A.No.1422 of 2008 in O.S.No.64 of 2007 on the file of the Principal District Munsif Court, Srivilliputhur.

For Petitioner : Mr.S.Vijayakumar

For Respondent : No appearance

ORDER

When the matter was taken up for hearing today, the learned counsel appearing for the petitioner reported 'no instruction'. This Civil Revision Petition is filed as against the order dismissing the petition filed by the revision petitioner, to condone the delay of 349 days in filing the petition, to set aside the ex parte decree in the suit in O.S.No.64 of 2007 on the file of the Principal District Munsif, Srivilliputhur.

2.The learned counsel appearing for the petitioner further submitted that the notice sent to the petitioner indicating about the hearing was served. He further submitted that the petitioner did not turn up even after receiving the notice.

3.Though the revision petitioner was not diligent, no explanation was offered for the delay and the revision petitioner is dragging on the proceedings at this stage.

4.Though this Court normally send notice to the petitioner in case his counsel reports no institution, having regard to the nature of the case and the conduct of the petitioner and this civil revision petition is pending for more than 9 years, this Court is not inclined to keep the matter pending further.

5.As a result, this Civil Revision Petition is dismissed for non prosecution. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //



To

1. The Principal District Munsif,
Srivilliputhur..

2. The Section Officer,
V.R. Section, (2 COPIES)
Madurai Bench of Madras High Court,
Madurai.

C.R.P (NPD) (MD) .No.2377 of 2010
17.07.2019

LS

MK (30.07.2019) 2P 4C