



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

C.R.P (MD)No.1914 of 2019

WEB COPY

Shiyamala Devi

rep. by her power Agent

Raman S/o. Krishnaswami Padaiyatchi.

: Petitioner / Petitioner /

Appellant / Plaintiff.

Vs.

1.Subramanian

(the 1st respondent is set ex parte in the lower Courts)

2.Sukumar

3.Muruganandam

...Respondent/ Respondent / respondent /
defendant

PRAYER: This Civil Revision Petition is filed against the docket order in I.A.No.99 of 2018, dated 22.01.2019 in A.S.No.(Un numbered) on the file of the learned Principal District and Sessions Judge, Thanjavur.

For Petitioner

: Mr. C. Hitesh Kumar

ORDER

This Civil Revision Petition has been filed against the order dated 22.01.2019, made in I.A.No.99 of 2018 in A.S.No. (Un numbered) 2017, on the file of the learned Principal District and Sessions Judge, Thanjavur.

2. The revision petitioner, who is the plaintiff, has presented the appeal suit along with an application in I.A.No.99 of 2018, for condoning a delay of 12 days in filing the appeal and the same has been allowed subject to the payment of cost of Rs.250/- each, to the contesting respondents 2 and 3, directly, by the petitioner on or before 18.01.2019, failing which the said petition shall stand dismissed. Due to ill-health of the revision petitioner's power agent, he was not able to follow up the matter with the counsel and hence, the said application was dismissed for non-payment of cost. He would further submit that now the petitioner is ready to abide any condition to be imposed



by this Court for allowing this petition.

3. I have heard the learned counsel appearing for the petitioner and perused the materials available on record.

4. In view of the above submission made by the learned counsel appearing for the revision petitioner and considering the facts and circumstances of the case, this Court is inclined to set aside the order passed by the Court below and to allow the delay petition subject to a payment of cost of Rs. 1,000/- (Rupees One Thousand only) each to the contesting respondents 2 and 3 before the Court below, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that if the revision petitioner fails to make payment as ordered by this Court, this Civil Revision Petition shall stand dismissed automatically.

5. This Civil Revision petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

trp

To

The Principal District and Sessions Judge, Thanjavur.

+1 CC to Mr.C.HITESH KUMAR, Advocate (SR-94558[F] dated 25/10/2019)

C.R.P (MD) No.1914 of 2019
24.10.2019

KM/(26.11.2019) 2P 3C