

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

C.R.P.No.399 of 2020

Sellammal

.. Petitioner/Defendant

Vs.

Pavathal

.. Respondent/Plaintiff

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India seeking a direction to the learned District Munsif-cum-Judicial Magistrate, Mettupalayam to dispose of I.A.No.1 of 2019 in O.S.112 of 2008 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Mettupalayam within a stipulated time.

For Petitioner : Mr.K.M.Ramesh

ORDER

Present revision has been filed seeking a direction to dispose of I.A.No.1 of 2019 in O.S.112 of 2008 pending on the file of the learned District Munsif-cum-Judicial Magistrate, Mettupalayam within a time frame.

2. Considering the nature of order to be passed in the revision which will in no way cause any prejudice to the respondent, notice to the respondent is dispensed with.

3. The petitioner is the defendant in the suit. Ex-parte decree has been passed against her. To set aside the said ex-parte decree, she filed an application along with an application in I.A.No.1 of 2019 to condone the delay of 472 days and the same is pending. Hence, the petitioner filed the present revision seeking an early disposal of the I.A.. within a time frame.

4. Mr.K.M.Ramesh, learned counsel appearing for the petitioner submitted that the petitioner is 102 years old and that she was not aware of the ex-parte decree passed against her and on immediately coming to know about the said ex-parte decree, she filled the present application to set aside the

ex-parte decree with a petition to condone the delay in filing the above petition and the same is pending for more than 5 months.

5. Considering the limited scope of the prayer made in the revision, the learned District Munsif-cum-Judicial Magistrate, Mettupalayam is directed to dispose of the I.A.No.1 of 2019 in O.S.No.112 of 2008, on merits and in accordance with law, after giving opportunity to both the parties, within a period of four weeks from the date of receipt of a copy of this order. The revision is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(C.S.VI)

/True Copy/

Sub Assistant Registrar

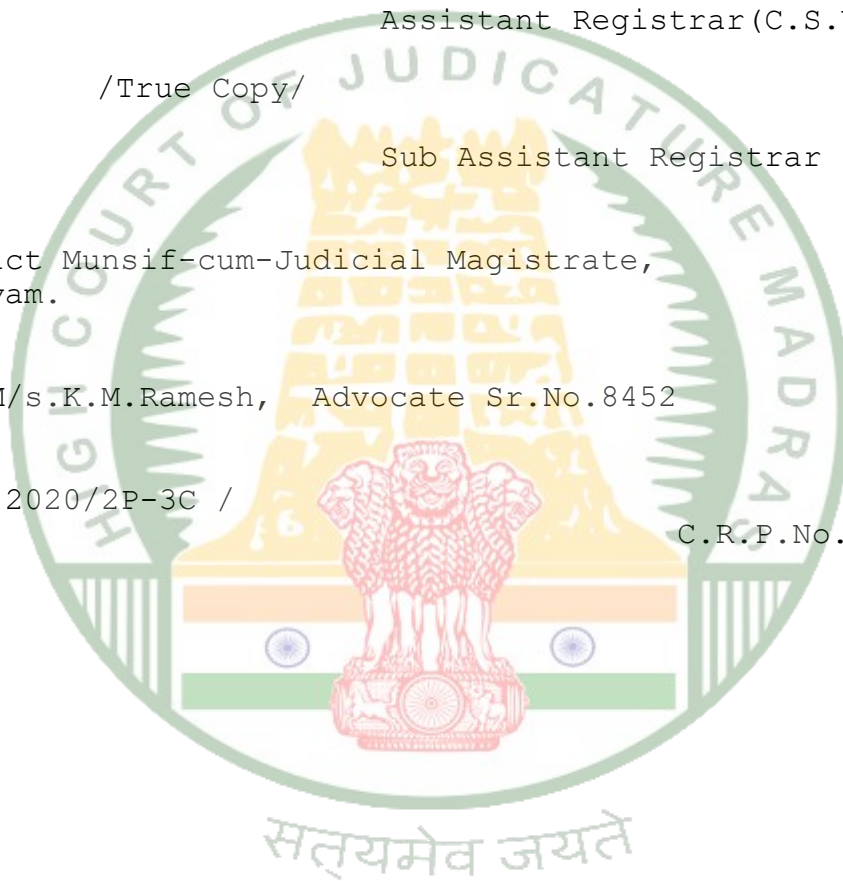
To

The District Munsif-cum-Judicial Magistrate,
Mettupalayam.

+1 cc to M/s.K.M.Ramesh, Advocate Sr.No.8452

AKM/04.03.2020/2P-3C /

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