

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Civil Revision Petition (NPD) No.2975 of 2007
and CMP.No.1 of 2007

K.Murugan

..Petitioner
/Defendant

Vs

A.Rukmani

..Respondent
/Plaintiff

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the order in IA.No.18744 of 2006, in O.S.No.5657 of 2006 dated 13.02.2007 on the file of I Assistant City Civil Court, Chennai and to set aside the same.

For Petitioner : No Appearance

ORDER

This Civil Revision Petition has been filed against the order passed in IA.No.18744 of 2006, in O.S.No.5657 of 2006 dated 13.02.2007 on the file of I Assistant City Civil Court, Chennai and to set aside the same.

2. When this Revision is taken up, there is no representation on behalf of the petitioner. It is seen from the records that the respondent had filed a suit in O.S.No.5657 of 2006 on the file of the I Assistant City Civil Court, Chennai. In the suit, the petitioner herein was served and he filed an application in I.A.No.18774 of 2006 seeking leave to defend and the same was dismissed by the trial Court. Challenging the said order passed by the trial Court, the petitioner/defendant had filed the present Civil Revision Petition.

3. This petition was filed in the year 2007. Even after 13 years, it is coming in list of adjourned admission cases and none represent on behalf of the petitioner/defendant. A careful perusal of the entire records, it is seen that the respondent/plaintiff had filed a suit for recovery of money, based on the promissory note. Though, the petitioner/defendant has admitted the said promissory note, based on the admission, leave to defend the suit cannot be granted. The trial Court has rightly dismissed the petition inasmuch as the petitioner/defendant had admitted the execution of the Promissory Note.

4. In view of the above, this Court is of the view that there is no merit in this Civil Revision Petition in order to entertain the same.

Therefore, this Civil Revision petition is dismissed in *limine*. Since the suit is pending from the year 2007, the trial Court is directed to proceed with the suit in O.S.No.5657 of 2006 if already not disposed of, as expeditiously as possible, preferably within a period of 3 months from the date of receipt of a copy of this order and send the compliance report to the Registry. Registry is directed to send all the case records to the Court below forthwith.

5. This Civil Revision Petition is dismissed accordingly. No costs.

14.07.2020

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To

- 1.The I Assistant City Civil Court, Chennai
- 2.The Section Officer, V.R. Section, High Court, Madras

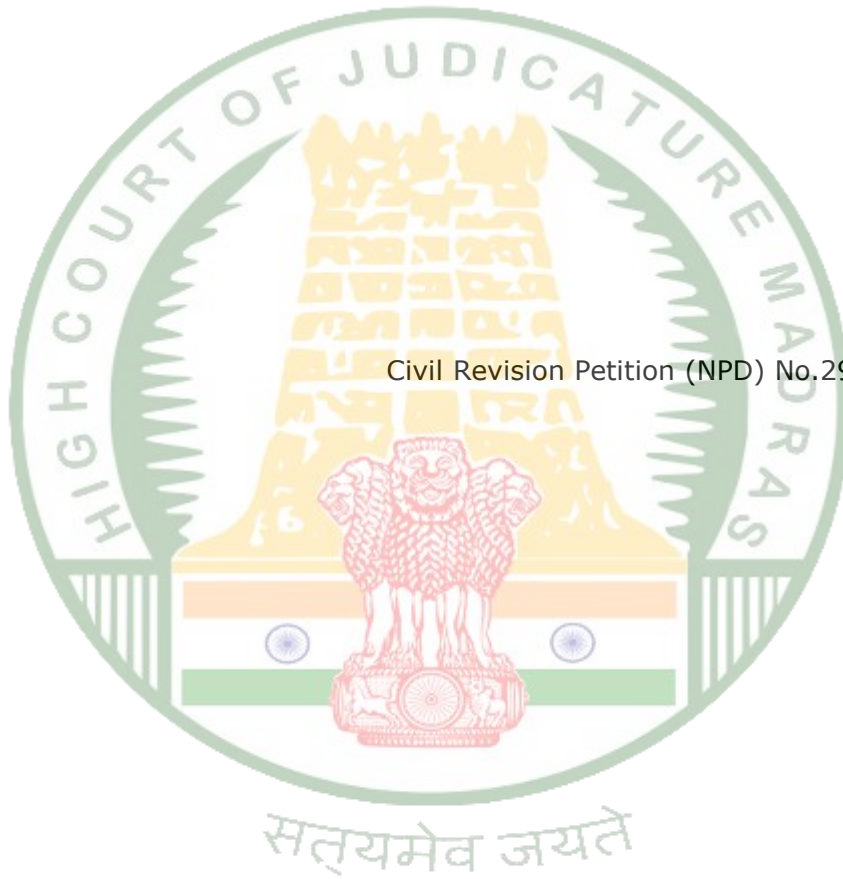
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Civil Revision Petition (NPD) No.2975 of 2007

P.VELMURUGAN,J.

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