

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2020

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

C.R.P. (PD) No.1222 of 2011 and
M.P.No.1 of 2011

Kumarasamy aged 60 years,
S/o.Subbe Gounder,
No.10F/7,J.K.J.Colony,
Manickapuram Road,
Palladam Town and Taluk,
Tirupur District.

...Petitioner/ Plaintiff

Vs

Gomathi, aged 50 yrs,
W/o.Mani Nadar,
Gomathi Malligai & Tea Stall,
Bharathipuram,
Manickapuram Road,
Palladam Town & Taluk,
Tirupur District.

...Respondent/Defendant

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, praying to call for records and set aside the order dated 21.12.2010 made in I.A.No.1754/2010 in O.S.No.39/2005, on the file of the District Munsif Court, Palladam.

For Petitioner : Mr.P.M.Duraiswamy

ORDER

This civil revision petition has been filed to call for records and set aside the order dated 21.12.2010 made in I.A.No.1754/2010 in O.S.No.39/2005, on the file of the District Munsif Court, Palladam.

2. The suit was filed by the petitioner herein in the year 2005. Thereafter, the petitioner filed an application in I.A.No.1754 of 2010 in O.S.No.39 of 2005, under Order XIV Rule 5 Section 151 of C.P.C. The said application was dismissed by the learned District Munsif, Palladam. Challenging the same, the present revision petition has been filed in the year 2011.

3. For the past 9 years, the petitioner has not taken any effective steps to serve notice to the respondent, taking advantage of the interim order of stay granted by this Court. Therefore, since notice was not served till date, the interim order of stay granted by this Court shall stand vacated and also the revision petition stands dismissed for default.

4. The Trial Court is directed to proceed the suit in accordance with law and dispose of the suit within a period of one year from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

//True Copy//

Sub Assistant Registrar

gsk

To

1.The District Munsif Court, Palladam.

2.The Section Officer,
V.R. Section, High Court, Madras.

C.R.P.No.1222 of 2011 and
M.P.No.1 of 2011

RLD(CO)
GN(23/09/2020)

सत्यमेव जयते

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