



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2020

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P (NPD) (MD) No.1828 of 2012

Solaimalai

: Petitioner/Appellant/Petitioner

.. Vs ..

1.Chandrasekaran

2.Kamaraj

3.Vijayalakshmi

4.Selvakumar

5.Senthilkumar

6.Alagarsamy

7.Saraswathiammal

: Respondents/Respondents/Respondents

PRAYER: Civil Revision Petition is filed under Section 115 of C.P.C., praying to set aside the Order dated 07.03.2012 made in I.A.No.53 of 2011 in A.S.No. ... of 2011 on the file of the Subordinate Judge, Aruppukottai.

For Petitioner

: Mr.PT.S.Narendravasan

For Respondent 1

: Mr.S.Natarajan

For Respondents

: No appearance

2, 3, 6 and 7

Respondents 4 and 5 dismissed vide order dated 11.01.2019.

ORDER

This Civil Revision Petition is directed against the order passed by the learned Subordinate Judge, Aruppukottai, dismissing the interlocutory application in I.A.No.53 of 2011 in unnumbered appeal filed in 2011. The interlocutory application was filed to condone the delay of 972 days in filing the appeal as against the final decree in I.A.No.1887 of 1996 in O.S.No.247 of 1994.

2.In the affidavit filed in support of the petition to condone the delay before the lower Court, the petitioner has not given any reason or cause for the inordinate delay of 972 days. The petitioner except stating that he found an error in the final decree application has not given any reason for the delay. The trial Court after considering the explanation and the counter affidavit filed by the respondents, dismissed the application specifically holding that no sufficient reason is given by the petitioner for the huge delay of 972 days in filing the appeal. Further, the lower Court observed that the petitioner's intention was to delay the process and to harass the respondents before the lower Court. This Court is unable



to find any error or irregularity in the order dismissing the petition to condone the huge delay of 972 days in filing the appeal. Accordingly, this Civil Revision Petition is dismissed. No costs.

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Assistant Registrar (AD II)

/ /2020
Sub Assistant Registrar

SRM

To
The Subordinate Judge,
Aruppukottai.

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