

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM

The Hon'ble Mr.Justice Krishnan Ramasamy

C.R.P (NPD)No.3514 of 2013

and

M.P.No.1 of 2013

Mrs.Samsath Begam,

..Revision Petitioner

vs.

P.Arjunan,
S/o. M.Polia Gounder.

..Respondent

PRAYER:

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 31.10.2012 passed in I.A.No.104 of 2012 in O.S.No.725 of 2007 on the file of the 5th Additional District and Sessions Judge, and allow this Civil Revision Petition.

WEB COPY

For Revision Petitioner : M/s.KannaAssociates, No appearance

For Respondent : Notice not ready

ORDER

The revision petitioner has filed the suit for specific performance of an agreement of sale, dated 30.05.2007. The said suit was dismissed for default, by judgement dated 02.12.2008. Thereafter, the revision petitioner filed an application to restore the suit along with a Condone Delay Application. However, the Court below dismissed the Condone Delay Application, vide order, dated 31.10.2012. Challenging the same, the present Civil Revision Petition is filed in the year 2013.

2. It is seen from the endorsements made in the Order Sheet that the matter has been adjourned from time to time pursuant to the request made by the learned counsel appearing for the revision petitioner. Lastly, the matter came up for hearing on 03.09.2020, on which date, none appeared on behalf of the revision petitioner. Therefore, the matter was directed to be listed under the caption 'for

dismissal' on 17.09.2020. Thereafter, the matter is listed today and when the same is called, none appeared for the revision petitioner. This matter has been pending for the past eight years on the file of this Court, without any progress. Thus, it shows that the revision petitioner is not interested in prosecuting the case.

3. Hence, the Civil revision petition is dismissed for non-prosecution. Consequently, connected Miscellaneous Petition is closed. No costs.

22.09.2021

Index: Yes/No
Speaking/Non-speaking Order
mka/sd

To
The 5th Assistant District and Sessions Judge,
Coimbatore.

Krishnan Ramasamy, J.,
mka/sd



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