IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2021

Coram

The Hon'ble Mr. Justice **C.V.KARTHIKEYAN**

C.R.P. (PD) No.773 of 2021

K.Rajamani

.. Petitioner/Plaintiff//Petitioner

Vs

S.Nagammal

..Respondent/Defendant/Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India to direct the District Munsif Court, Tambaram to dispose of the I.A.No.641 of 2019 in O.S.No.142 of 2019 and O.S.No.142 of 2019.

For Petitioner .. Ms.A.L.Gandhimathi

For Respondent .. No appearance

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ORDER

This Revision Petition has been filed seeking a direction to the District Munsif Court, Tambaram to dispose of I.A.No.641 of 2019 which had been filed in O.S.No.142 of 2019 and O.S.No.142 of 2019.

2.The plaintiff in the suit is the petitioner herein. The plaintiff is aggrieved by the fact that I.A.No.641 of 2019 had been kept pending without any effective order being passed. A perusal of the notes paper reveal that the respondent had actually been set exparte, which is an effective order and thereafter, even before enquiry could be conducted an application was filed under Order IX Rule 9 seeking to set aside the order which came to be allowed and now the matter is posted for filing of counter in I.A.No.641 of 2019.

सत्यमेव जयते

3.Unless counter is filed, it would be high inappropriate on the part of the learned District Munsif, Tambaram to take up the matter for enquiry.

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4.I am confident that the learned Munsif would call upon the respondent to file a counter within a stipulated period and thereafter also

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invite both the learned counsels to advance arguments in the Interlocutory Application and dispose it. No specific directions are necessary since the Court has trust that no unnecessary adjournments would be granted and adjournments would also not be requested by the counsels. The matter may be concluded at the earliest, however subject to the defendant filing the counter.

5.With the above observations, the Civil Revision Petition is disposed of. No order as to costs.

23.04.2021

Internet:Yes/No
Index:Yes/No
smv

To
The District Munsif Court,
Tambaram.

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C.V.KARTHIKEYAN,J.

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C.R.P. (PD) No.773 of 2021

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