

CRP.PD.No.4203 of 2018

G.K.ILANTHIRAIYAN, J.

Today, this matter has been posted under the caption "for being mentioned" at the instance of the learned counsel for the petitioners.

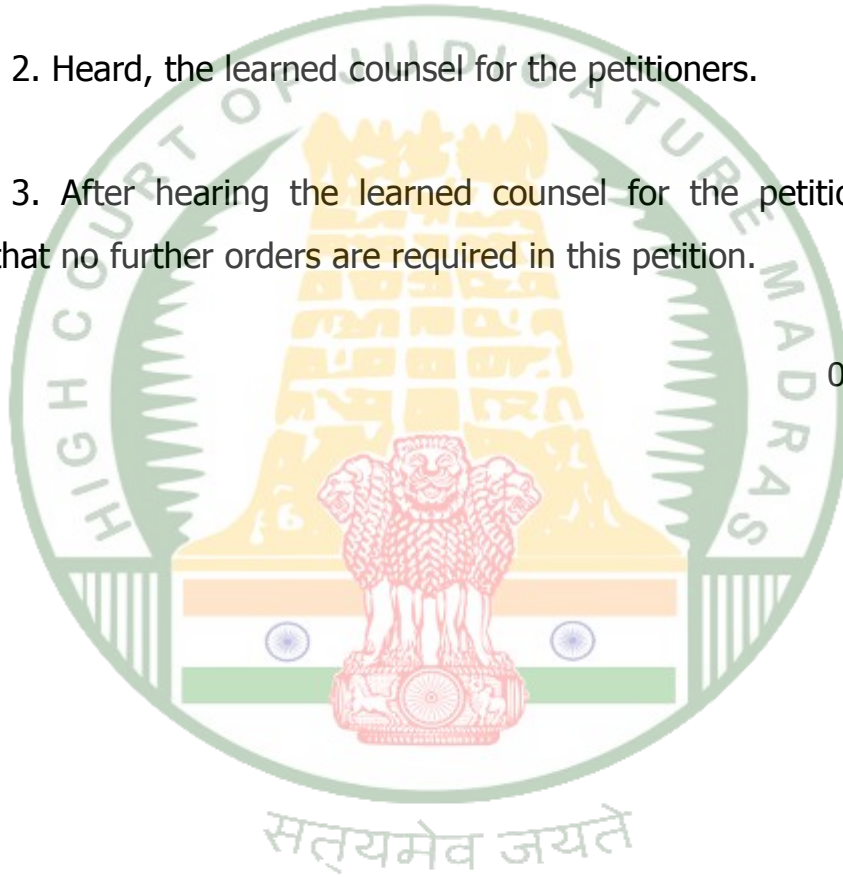
2. Heard, the learned counsel for the petitioners.

3. After hearing the learned counsel for the petitioners, it is ordered that no further orders are required in this petition.

06.07.2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2021

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(PD) No.4203 of 2018

1.Jayalakshmi
2.Ethiraj
3.Vanitha
4.Sundara

...

Petitioners

Vs

1.Kasiammal
2.Jayavel
3.Vasantha

...

Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order and decretal order in IA.No.349 of 2018 in OS.No.140 of 2013 on the file of the Additional District Munsif Court at Thiruppathur dated 08.10.2018

For Petitioners : Mr.S.Arokia Maniraj

For Respondents

For R2 & 3 : Mr.M.A.R.Pragash

R1 : No appearance

ORDER

This Civil Revision Petition is filed against the order and decretal order in IA.No.349 of 2018 in OS.No.140 of 2013 on the file of the

Additional District Munsif Court at Thiruppathur dated 08.10.2018, thereby dismissing the petition to condone the delay in filing the petition to set aside the exparte decree.

2. The petitioners are the defendants 3 to 6 in the suit filed by the respondents for declaration and permanent injunction. On receipt of summons, the petitioners failed to appear before the court below and as such they were set exparte. The petitioners filed petition to set aside the exparte decree with delay of 1121 days. On perusal of the affidavit filed in support of the petition, they did not even whisper about their knowledge about the exparte decree and also did not state any sufficient cause for the huge delay of 1121 days. They simply mentioned that they went to Karnataka for avocation. Therefore, the court below rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed by the court below.

3. Accordingly, this civil revision petition is dismissed. No order as to costs.

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02.07.2021

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Index: Yes/No

Internet: Yes/No

Speaking Order: Yes/No

3/5



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To

The Additional District Munsif
at Thiruppathur



C.R.P.(PD) No.4203 of 2018

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