



WEB COPY

C.R.P(MD)(PD)No.2580 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2021

CORAM:

THE HONOURABLE **MRS. JUSTICE R. THARANI**

C.R.P (MD) No.2580 of 2017

and

C.M.P. (MD) No.11949 of 2017

Nageshwari ... Petitioner/Respondent/Defendant

Vs.

Ashok Chellappan Pillai ... Respondent/Petitioner/Plaintiff

Prayer: Civil Revision Petitions filed under Section 115 of C.P.C., to set aside the order made in E.P.No.2 of 2016 in O.S.No.80 of 2014 on the file of the Subordinate Judge, Padmanabhapuram, dated 27.10.2017 and to allow this Civil Revision Petition.

For Petitioner : Mr.C.Sankar Prakash

For Respondent : Mr.A.Balakrishnan

ORDER

This Civil Revision Petition is filed to set aside the order made in E.P.No.2 of 2016 in O.S.No.80 of 2014 on the file of the Subordinate Judge, Padmanabhapuram, dated 27.10.2017.

2.On the side of the respondent, it is stated that this petition was filed against the order passed in E.P.No.2 of 2016 in O.S.No.80 of 2014. The contention of the revision petitioner is that the E.P. was based on an exparte decree and that the revision petitioner has approached the lower Court by way of an exparte set aside petition, but, that petition in I.A.No.724 of 2017 was dismissed by the trial Court, on 12.02.2018 and that there was no appeal or revision against that order and prayed the revision petition to be dismissed.

3.On the side of the revision petitioner, it is admitted that the exparte set aside petition filed by the revision petitioner before the trial Court was dismissed and that there was no revision or appeal filed against that order, dated 12.02.2018, in I.A.No.724 of 2017.



4. In view of the above submissions, this Civil Revision Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

To

1. The Subordinate Judge,
Padmanabhapuram.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.T.ARUL, Advocate (SR-15914[F] dated 15/04/2021)

+1 CC to M/s.A.BALA KRISHNAN, Advocate (SR-16148[F] dated 17/04/2021)

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TR(29.04.2021) 2P 6C