



C.R.P.(NPD) No.149 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(NPD) No.149 of 2022

and

C.M.P.No.824 of 2022

M.Kumar

... Petitioner

Vs.

Arulmighu Padaleeswarar Thirukoil,
Represented by its
Executive Officer,
Sannathi Street, Thiruppapuliur,
Cuddalore - 607 0002.

... Respondent

PRAYER: Civil Revision Petition filed under Section 115 of Code of Civil Procedure, against the order dated 10.12.2021 made in E.A.No.112 of 2020 in O.S.No.211 of 2012 before the Principal District Munsif, Cuddalore.

For Petitioner : Mr.S.Kaithamalai Kumaran

For Respondent : Mr.M.Brindran



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ORDER

The above Civil Revision Petition is filed to set aside the order dated 10.12.2021 made in E.A.No.112 of 2020 in O.S.No.211 of 2012 on the file of the Principal District Munsif, Cuddalore.

2. A perusal of the records would show that an application for setting aside the *ex-parte* judgment made in A.S.No.15 of 2017 is pending before the II Additional Subordinate Judge, Cuddalore and a counter has also been filed in the said application. However, the said appeal is yet to be heard.

3. Considering the fact that an application has been moved and the same is pending disposal, the order dated 10.12.2021 is set aside and the learned Principal District Munsif, Cuddalore is directed to consider the execution, after the disposal of the application in I.A.No.17 of 2021 in A.S.No.15 of 2017 or after the judgment is pronounced in A.S.No.15 of 2017 on the file of the II Additional Subordinate Judge, Cuddalore, whichever is earlier.



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4. The learned counsel for the petitioner, would submit that if I.A.No.17 of 2021 is allowed, he is ready to complete his arguments in A.S.No.15 of 2017 within a period of 15 days. Consequently, the II Additional Subordinate Judge, Cuddalore shall take note of the above submission.

5. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2022

Index : Yes/No
Speaking Order : Yes / No
sp/srn

To

- 1.The Principal District Munsif, Cuddalore.
- 2.The II Additional Subordinate Judge, Cuddalore.
- 3.The Section Officer,
VR Section, Madras High Court,
Chennai.



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P.T. ASHA, J,

sp/srn

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