



C.R.P.No.1582 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.1582 of 2022

and

C.M.P.No.7973 of 2022

1.S.Lingadurai

2.S.Jayaraj

... Petitioners

VS

1.N.Venkatesan

2.V.Padmavathi

... Respondents

Prayer: Civil Revision Petition is filed under Section 115 of the Civil Procedure Code, praying to set-aside the fair and final order dated 02.03.2022 in I.A.No.1 of 2021 in R.C.O.P.No.284 of 2012 on the file of the Rent Controller - The I Additional District Munsif of Coimbatore.

For Petitioners : Mr.K.Sudhakar

For Respondents : Mr.P.Saravanan

ORDER



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The Civil Revision Petition is filed challenging the order passed by the Court below dismissing the petition to condone the delay of 1953 days in filing the petition to restore I.A.No.140 of 2015, which was filed to set aside the exparte order of eviction passed in R.C.O.P.No.284 of 2012 on 10.11.2014.

2. In the affidavit filed in support of the petition to condone the huge delay of 1953 days, the petitioners had stated that there was a mediation and negotiation between the parties and hence, they were prevented from filing petition to restore I.A.No.140 of 2015, which was dismissed for default.

3. The reason given by the petitioners is not sufficient to condone the huge delay of 1953 days. Apart from that, in the impugned order the Court below observed that the petitioners have been contesting the execution petition filed by the respondents to execute the exparte order of eviction by filing counter on 23.02.2016 itself. Therefore, the reason given by the revision petitioners that due to mediation and negotiation between the parties, they have not filed petition to restore I.A.No.140 of 2015, which was dismissed for



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default, cannot be accepted. Therefore, I do not find any illegality or irregularity in the order passed by the Court.

4. Accordingly, the Civil Revision Petition is dismissed. No costs.

Consequently, the connected civil miscellaneous petition is closed.

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Index : Yes / No

Internet : Yes / No

dm

To

The Rent Controller - The I Additional District Munsif,
Coimbatore.



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S.SOUNTHAR, J.

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