



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.M.P.No.15717 of 2022

and

C.R.P.S.R.No.91903 of 2022

R.Pushpakarani

.. Petitioner

Vs.

R.Dhananjayan

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the fair and decretal order dated 30.08.2019 made in I.A.No.564 of 2018 in O.S.No.45 of 2013 on the file of the Principal District Judge, Chengalpattu.

For Petitioner : M/s.G.Suresh

For Respondent : M/s.T.M.Mano
for M/s.Jana Ranjini

O R D E R

The petitioner herein has filed this Civil Miscellaneous petition to condone the delay of 887 days in filing the above Civil Revision Petition.



2. The main Civil Revision Petition was filed challenging the order passed by the Court below in dismissing the petition to condone the delay of 1198 days in filing the petition to set aside the exparte decree. In support of the petition to condone the delay, the petitioner has filed an affidavit wherein he has reiterated the reasons given by him for explaining the delay in filing the petition to set aside the exparte decree. The impugned order was passed on 30.08.2019. The Civil Revision Petition was filed on 02.09.2022. Absolutely there is no averment found in the affidavit filed in support of the condone delay petition explaining the reasons for the delay from 30.08.2019 to 02.09.2022. In the last paragraph of the affidavit, the petitioner has submitted that there is a delay of 1055 days in filing the revision and the delay is neither wilful nor wanton. Since, there is no explanation in the affidavit for the delay of 887 days in filing the revision, I am not inclined to condone the delay and hence the Civil Miscellaneous Petition is dismissed. No costs. Consequently, C.R.P.SR.No.91903 of 2022 is rejected at the S.R stage itself.

29.09.2022

Index: Yes/ No
Speaking Order / Non-Speaking Order
jai



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To
1. The Principal District Judge,
Chengalpattu.



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S.SOUNTHAR, J.
jai

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