



WEB COPY



C.R.P. (NPD) .No.2925 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.(PD).No.2925 of 2021

and

C.M.P.No.21015 of 2021

1.The Executive Engineer,

TNEB, Ranipet.

2.The Assistant Executive Engineer,

TNEB, Ranipet.

3.The Junior Engineer,

TNEB, Ranipet.

.. Petitioners

Vs.

1.Kuppammal

2.Mythili

3.Revathy

4.Rekha

5.Sumathi

.. Respondents

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PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, praying to set aside the fair and decreetal order dated 16.03.2021 made in I.A.No.1 of 2019 in A.S.No.Nil of 2019 against O.S.No.97 of 2013 on the file of the Subordinate Court, Ranipet, Vellore District, by allowing the above CRP.

For Petitioners : Mrs.J.Hemalatha

ORDER

Challenge in this Revision is to the order of the appellate Court viz., Sub - Court, Ranipet dismissing the application seeking condonation of delay of 492 days in filing the appeal against the decree and judgment made in O.S.No.97 of 2013 on the file of the learned District Munsif, Walaja.

2. Only reason that has been assigned for the delay is that the appeal could not be filed due to the work pressure. It can hardly be termed as a sufficient cause within the meaning of Section 5 of the Limitation Act.

3. The learned appellate Judge was therefore justified in dismissing the application for condonation of delay. Hence, the Revision fails and it is

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accordingly **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed. It is open to the Tamil Nadu Electricity Board to recover the cost of the suit and damages incurred because of the decree from the Officials who are responsible for the delay in filing the appeal.

03.01.2022

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Speaking order

To

The Subordinate Court, Ranipet, Vellore District.

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R.SUBRAMANIAN, J.

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