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C.R.P.No.2976 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.No.2976 of 2022

V.Ramalingam

.. Petitioner

Vs.

M.Mahalakshmi

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to issue suitable direction to the Hon'ble Additional Subordinate Judge at Chengalpattu to dispose off the application in I.A.No.13 of 2020 in O.S.No.82 of 2017 within a time fram.

For Petitioners : Mr.R.Lakshmi Narasimhan
for L.Ramu

For Respondent : No appearance

O R D E R

The petitioner herein filed this Civil Revision Petition seeking direction to Sub Court, Chengalpattu, to dispose I.A.No.13 of 2020 which was filed to restore the suit in O.S.No.82 of 2017 which was dismissed for default.



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2. Having regard to the limited prayer made in this revision petition, this Court is inclined to dispose of the revision, even without notice to the respondent.

3. Petitioner seeks direction to the Court below for early disposal of the petition filed by him in I.A.No.13 of 2020 to restore the suit.

4. Perusal of the docket entry furnished in the typed set of papers would suggest that notice has been repeatedly sent to the respondent but she has not been served so far. The learned counsel for the petitioner would submit that the respondent is evading notice and hence he is unable to serve the respondent. The Court ordered fresh notice to the respondent again and again. Perusal of the docket entry make it clear that fresh notice has been order for seven times. If the respondent evades the notice sent by the Court, it is always open to the revision petitioner to file appropriate application before the Court below for effecting substituted service. If any such application is filed by the petitioner, the Court below shall consider the same on merits and dispose of the same in accordance with law as early as possible, preferably within a period of two



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weeks from the date of receipt of copy of this order. Further, the Court below is directed to dispose of I.A.No.13 of 2020 within a period of six weeks from the date of service of notice on the respondent, either personally or by substituted service. Accordingly, this civil revision petition is disposed of. No costs.

21.09.2022

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

To

1. The Subordinate Judge,
Chengalpattu.



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S.SOUNTHAR, J.

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