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C.R.P.No.3801 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.No.3801 of 2022
and C.M.P.No.20007 of 2022

1. Velyautham
2. Lakshmi

...Petitioners

Versus

Abdul Raseed
Rep. by his Power Agent
R.Ramkumar

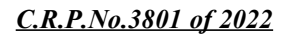
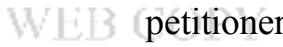
... Respondent

PRAYER: Civil Revision Petition filed under Section 115 of Civil Procedure Code, pleaded to set aside the fair and decreetal order dated 14.07.2022 made in I.A.No.540 of 2022 in O.S.No.105 of 2016 on the file of the Principal District Munsif Court, Kallakurichi.

For Petitioners : Mr.N.Manoharan

O R D E R

The Civil Revision Petition is filed challenging the order passed by the Court below allowing the petition filed by the respondent seeking to set aside the order dismissing his suit for default on 14.03.2022.



3. The learned counsel for the petitioner vehemently contended that the respondent is not at all interested in getting along with the suit and his previous conduct establishes his attempt to drag on the suit. The Court below by taking into consideration the previous conduct of the respondent had chosen to impose a cost of Rs.3000/- to allow the application, in order to give an opportunity to the respondent to conduct the case on merits. Therefore, this Court does not find any



C.R.P.No.3801 of 2022

illegality or irregularity in the order passed by the Court below.

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4. In view of the above, this Civil Revision Petition stands dismissed. No costs. However, in view of the fact the suit is of the year 2016 and it was dismissed for default twice, this Court is inclined to issue a direction to the Court below to dispose of the suit as expeditiously as possible preferably within a period of six (6) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

22.11.2022

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Index: Yes/ No

Speaking Order / Non-Speaking Order



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S.SOUNTHAR, J.

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To
The Principal District Munsif Court,
Kallakurichi.

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22.11.2022