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C.R.P.No.3295 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3295 of 2022

V.Ramalingam

... Petitioner

vs

1.M.Mahalakshmi

2.Gogulakrishnan

3.The President

Vandalur Panchayat Office
Vandalur,
Chennai - 600 048.

4.The Junior Engineer, TNEB

MMK Complex, GST Road,
Vandalur,
Chennai - 600 048.

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to issue suitable direction to the learned Additional Sub-Judge at Chengalpet to dispose of the application in I.A.No.12 of 2020 in O.S.No.40 of 2016 within a time frame to be fixed by this Court.

For Petitioner : Mr.L.Ramu
ORDER



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The petitioner herein seeks a direction to the learned Additional Sub Judge, Chengalpet to dispose of I.A.No.12 of 2020, which has been filed to set aside the *exparte* decree passed in O.S.No.40 of 2016, dated 16.09.2019.

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

3. The perusal of the docket entry filed in the typed-set of papers would suggest that the notice in I.A.No.12 of 2020 has not been served on the contesting respondents/plaintiffs, so far. The learned counsel for the petitioner submits that the respondents are willfully evading the service of notice on them.

4. In case, the respondents/plaintiffs evade the notice, 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 revision petitioner, the Court below shall consider the same on merits and



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dispose of the same in accordance with law as early as possible, preferably within a period of two weeks from the date of receipt of copy of this order.

Further, the Court below is directed to dispose of I.A.No.12 of 2020 within a period of six weeks from the date of service of notice on the respondents, either personally or by substituted service.

5. With the above directions, the Civil Revision Petition is disposed of.

No costs.

14.10.2022

Index : Yes / No
Speaking Order : Yes / No
dm

To

1.The Additional Sub Judge, Chengalpet.

2.The President
Vandalur Panchayat Office
Vandalur, Chennai - 600 048.

3.The Junior Engineer, TNEB
MMK Complex, GST Road,
Vandalur, Chennai - 600 048.

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S.SOUNTHAR, J.

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