



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.04.2022
CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P (MD) .No. 1116 of 2020
and CMP (MD) No.7194 of 2020

J.Vasundara

... Petitioner/Petitioner/
6th Respondent/

Vs

1.J.G.Rajasundaram

1st Respondent/
1st Respondent/Plaintiff

2.J.Florence

3.A.Kanakamani

4.J.Thangadurai

5.D.David Koilraj

6.A.Saravanakumar

7.R.Dhanalakshmi

... Respondents 2&7/Respondents 2&7
Defendants 2 to 5 & 7

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 14-11-2019 passed in I.A.No.2 of 2019 in O.S.No.35 of 2018 by the learned II Additional District Judge, Tuticorin.

For Petitioner : Mr.G.Mohankumar

For Respondent : Not Appearance

ORDER

To set aside the fair and decreetal order dated 14-11-2019 passed in I.A.No.2 of 2019 in O.S.NO.35 of 2018 by the learned II Additional District Judge, Tuticorin, the revision petitioner has filed this Civil Revision Petition.

2.Heard the learned counsel appearing for petitioner and perused the materials available on record.

3.The suit in O.S.No.35 of 2018 was filed by the first respondent/plaintiff for the relief of mandatory injunction.

I.A.No.2 of 2019 was filed by the revision petitioner under Order XI
<https://hcservices.ecourts.gov.in/hcservices/>



Rule 7 of Civil Procedure Code to set aside the *exparte* order passed against him, in the suit along with the written statement. The suit is still pending. If the petition is allowed, there will be no prejudice caused to the plaintiff.

4. In view of the above, this Civil Revision Petition is allowed and the fair and decreetal order dated 14-11-2019 passed in I.A.No.2 of 2019 in O.S.NO.35 of 2018 passed by the learned II Additional District Judge, Tuticorin is set aside. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(C.O)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The II Additional District Judge, Tuticorin.

2.The Record Keeper,
Vernacular Section, Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+1 CC to M/s.G.MOHAN KUMAR, Advocate (SR-21521[F] dated 27/04/2022)

ORDER IN
C.R.P (PD) (MD) .No. 1116 of 2020
and CMP (MD) No.7194 of 2020
Date:26.04.2022

SA(25.05.2022) 2P 5C