



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD) .No.479 of 2022

and

C.M.P (MD) No.2124 of 2022

P.Ayyakannu

... Petitioner/Petitioner

Vs.

Venkatraraman (Died)

1.M.Gandhimathinathan

2.Sampathkumar

3.V.Senthilkumar

4.A.Gopikannu

5.Narayanan

6.K.Ramasamy Pillai

7.G.Balasubramanian

8.G.Chandran

...Respondents/Respondents

PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the impugned order passed in I.A.No.2 of 2021 in O.S.No.309 of 2010, dated 10.02.2022 and the subsequent proceedings of the above case on the file of the II Additional Subordinate Judge, Tiruchirapalli.

For Petitioner :Mr.V.Karthikeyan

O R D E R

This Civil Revision Petition has been filed to set aside the impugned order passed in I.A.No.2 of 2021 in O.S.No.309 of 2010, dated 10.02.2022 on the file of the learned II Additional Subordinate Judge, Tiruchirapalli.

2.I.A.No.2 of 2021 was filed by the revision petitioner/2nd defendant under Section 151 of Civil Procedure Code, to re-open the suit in O.S.No.309 of 2010, which was allowed by the learned II Additional Subordinate Judge, Tiruchirapalli on condition that the revision petitioner/2nd defendant should proceed the case on 16.02.2022. As per the affidavit, he was participated in a farmers strike at New Delhi, so he could not attend before the trial Court to proceed the case. In support of his averments, paper news is also filed. So this Court is inclined to give one more opportunity to the petitioner to appear before the trial Court.



3. Therefore, the petitioner is directed to appear before the trial Court on 28.03.2022 for his examination without fail. If he failed to appear before the trial Court, subsequent proceedings will be valid.

4. With the above direction, this Civil Revision Petition is partly allowed. No Costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

vsd

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

The II Additional Subordinate Judge,
Tiruchirapalli.

Copy to

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1 CC to M/s.V.KARTHIKEYAN, Advocate (SR-11958[F] dated 14/03/2022)

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