



CRP(PD)(MD)No.1196 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.1196 of 2022

K.Jawahar

... Revision
Petitioner

versus

1. K.Soundarapandiammal
2. C.Shanthi
3. R.Nirmaladevi
4. K.Karthikeyan
5. K.Prabhunayagam

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India seeking a direction to direct the learned District Munsif, Melur to dispose the I.A.No.1 of 2019 in I.A.No.2 of 2019 in O.S.No.348 of 2014 on the file of the District Munsif Court, Melur.

For Revision

Petitioner : Mr.T.Selvam

ORDER

This Civil Revision Petition is filed seeking a direction to the learned District Munsif, Melur, to dispose of I.A.No.1 of 2019 in



CRP(PD)(MD)No.1196 of 2022

I.A.No.2 of 2019 in O.S.No.348 of 2014 pending on its file.

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2. The revision petitioner is the plaintiff in O.S.No.348 of 2014 on the file of the District Munsif Court, Melur. He filed the aforesaid suit for declaration and permanent injunction. While so, the said suit was dismissed for default on 18.09.2017. According to the revision petitioner, since he was out of station and his counsel had not informed about the same, he was not aware of the dismissal order of the suit. Therefore, he filed an application in I.A.No.2 of 2019 seeking to set aside the *ex parte* order dated 18.09.2017 along with an application in I.A.No.1 of 2019 to condone the delay of 748 days in filing the above said application. According to the revision petitioner, though the condone delay application was filed in the year 2019, the same is still pending before the District Munsif Court, Melur. Therefore, the revision petitioner is before this Court.



CRP(PD)(MD)No.1196 of 2022

3. Considering the nature of the relief sought for herein, the issuance of notice to the respondents is not necessary.

4. Though the application to condone the delay of 748 days in filing the application to set aside the *ex parte* order dated 18.09.2017 was filed in the year 2019, the same is still pending for the past 2 ½ years. Therefore, this Court directs the learned District Munsif, Melur, to dispose of I.A.No.1 of 2019 in I.A.No.2 of 2019 in O.S.No.348 of 2014, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. No costs.

20.06.2022

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Index : Yes / No
Internet: Yes / No.



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CRP(PD)(MD)No.1196 of 2022

B.PUGALENDHI, J.

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To

1. The learned District Munsif,
Melur.

CRP(PD)(MD)No.1196 of 2022

20.06.2022