



WEB COPY



CRP (MD) No.2089 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

CRP (MD) No.2089 of 2022

and

CMP (MD) No.9598 of 2022

C.Muthuram

... Petitioner

Vs

Pushpam

... Respondent

PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 16.08.2022 in IA.No.1 of 2021 in UNA.SNo. Of 2021 on the file of the Sub Court, Sattur.

For Petitioner : Mr.K.Sudalaiyandi

ORDER

This civil revision petition has been filed as against the fair and decreetal order dated 16.08.2022 in IA.No.1 of 2021 in UNA.SNo. of 2021 passed by the learned Sub Judge, Sattur.



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2.The respondent / plaintiff has filed the suit for declaration and mandatory injunction as against this petitioner in OS.No.17 of 2009 before the District Munsif Court, Sattur. The said suit was decreed on 05.10.2015. The petitioner / defendant has filed an appeal with a delay of 2070 days on the ground that the petitioner was working as a government employee and he was frequently transferred. Therefore, he could not follow up the case and file the appeal in time. The Court being not satisfied with the reasons for the enormous delay has dismissed the application.

3.The learned Counsel for the petitioner submits that the petitioner was working as a Superintendent in Social Welfare Department and he was frequently transferred to various places and he was not in a position to follow up the case. Therefore, there is a delay of 2070 days in filing the appeal.

4.Heard the learned Counsel for the petitioner and perused the materials.



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5.The suit in OS.No.17 of 2009 was filed for declaration and mandatory injunction as against this petitioner by the respondent / plaintiff before the learned District Munsif Court, Sattur. The suit was decreed on 05.10.2015. As against the same, the petitioner / defendant has filed an appeal with a delay of 2070 days on the ground that the petitioner was working as a government employee and he was frequently transferred. Therefore, he could not follow up the case and file the appeal in time. This ground of the petitioner for the huge delay of 2070 is not acceptable and therefore, this Court is not inclined to entertain this application.

6.The civil revision petition is dismissed. No costs. Consequently connected miscellaneous petition also stands dismissed.

10.11.2022

dsk

To

The Sub Ordinate Judge,
Sattur.



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B. PUGALENDHI, J.

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