



CRP (MD) No. 1173 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.11.2022

CORAM:

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

CRP (MD) No. 1173 of 2018

and

CMP (MD) No. 4980 of 2018

S. Pelavendiran

... Petitioner

Vs

1. M. Antony Guruz

2. V. Mariasoosai

3. G. Alexandar

4. The Village Administrative Officer,
Thengamputhoor,
Thengamputhoor Village,
Agasteeswaram Taluk,
Kanyakumari District.

5. The Thasildar,
Agasteeswaram Taluk Office,
Agasteeswaram Taluk,
Kanyakumari District.

6. The District Collector,
Kanyakumari District,
Kanyakumari.

... Respondents

PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, to call for the records in pertaining to the order made in IA.No.420 of 2016 in OS.No.28 of 2013 dated 09.08.2017 on the file of the I



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Additional District Munsif Court, Nagercoil and set aside the same.

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For Petitioner : Mr.T.Vadivelan
For Respondent : Mr.H.Thayumanasamy
Nos.1 and 2
For Respondent : Mr.M.Sarangan,
Nos.4 and 6 Additional Government Pleader
For Respondent : No appearance
No.3

ORDER

This civil revision petition is filed as against the order made in IA.No.420 of 2016 in OS.No.28 of 2013 dated 09.08.2017 by the learned I Additional District Munsif Court, Nagercoil.

2.The petitioner is the plaintiff in OS.No.28 of 2013. As against the order passed in IA.No.420 of 2016, dated 09.08.2017, this civil revision petition is filed. Pending this civil revision petition, the main suit in OS.No.28 of 2013 itself was dismissed for default on 19.08.2019.



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3.The petitioner claims that he has filed an application in IA.No.3 of 2022 with a delay of 1036 days to restore the suit. Since the civil revision petition is pending from the year 2018 and the main suit is dismissed for default, this civil revision petition is dismissed with liberty to the petitioner to file a fresh application, as and when the suit is restored. No costs. Consequently connected miscellaneous petition is also dismissed.

09.11.2022

dsk

To

1. I Additional District Munsif,
Nagercoil.
- 2.The District Collector,
Kanyakumari District,
Kanyakumari.
- 3.The Thasildar,
Agasteeswaram Taluk Office,
Agasteeswaram Taluk,
Kanyakumari District.
- 4.The Village Administrative Officer,
Thengamputhoor,
Thengamputhoor Village,
Agasteeswaram Taluk,
Kanyakumari District.

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B. PUGALENDHI, J.

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