



C.M.P.(MD)No.11471 of 2017 in C.R.P(MD)SR.No.49779 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 14.12.2022

CORAM

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

C.M.P.(MD)No.11471 of 2017
in
C.R.P(MD)SR.No.49779 of 2017

T.Ramachandran

... Petitioner /Petitioner/
Petitioner/Plaintiff

Vs

1.D.Karthik
2.I.Pandeeswaran
3.K.Nathan
4.V.Kathirvel Servai

...Respondents/ Respondents/
Respondents/Respondents

PRAYER in C.M.P.(MD)No.11471 of 2017:-

This Petition is filed under Section 5 of Limitation Act to condone the delay of 50 days in filing the Civil Revision Petition.

PRAYER in C.R.P.(MD)SR.No.49779 of 2017:

This Civil Revision Petition is filed under Section 115 of the Civil Procedure Code to set aside the order passed by the District Munsif Court, Vadipatti in I.A.No.225 of 2016 in O.S.No.95 of 2011 dated 11.12.2014.



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For Petitioner : Mr.E.Murugan

For Respondents : No appearance

ORDER

This Civil Miscellaneous Petition is filed to condone the delay 50 days in filing the Civil Revision Petition in CRP(MD)SR.No.49779 of 2017. The Civil Revision Petition was filed as against the decretal order passed by the trial court in I.A.No.225 of 2016 in O.S.No.95 of 2011 dated 11.12.2014.

2. The petitioner has filed the above suit in O.S.No.95 of 2011 as against the defendants 1 to 4. The petitioner has failed to take necessary steps as against the contesting 4th defendant and therefore, the trial court set him ex-parte and dismissed the suit against the fourth defendant on 25.08.2012. Thereafter the petitioner has left the suit unrepresented and therefore, the suit was dismissed in the year 2014. The petitioner has filed the above I.A.No.225 of 2016 with a delay of 750 days. He also stated a reason that he was suffering with illness and therefore, he could not appear before the trial court and the delay of 750 days occurred in filing the application. The trial court dismissed the said application as against which the present Civil Revision Petition is filed with a further delay of 50 days. Though the delay condonation petition



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has been filed in the year 2017, the same has not been prosecuted for the past 5 years.

3. Considering the conduct of this petitioner, this Court is not inclined to entertain this application. Hence, this Civil Miscellaneous petition is dismissed and the Civil Revision Petition is rejected at the SR stage itself.

14.12.2022

Index: Yes / No
Internet : Yes / No

CM

To

- 1.The District Munsif Court, Vadipatti
- 2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.



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B.PUGALENDHI, J

CM

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