



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P(MD).No.2286 of 2017

Rajam : Petitioner/Petitioner /
Plaintiff
Vs.
Charles Jegathabai : Respondent/Respondent/
defendant

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 10.08.2017 made in I.A.No.744 of 2016 in O.S.No.114 of 2011 on the file of the Additional District Munsif Court, Padmanabapuram and to set aside the samd and pass such further or other orders as this Hon'ble Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

For petitioner : Mr. V. Sasikumar
For respondent : No appearance

ORDER

This Civil Revision petition is filed against the order, dated 10.08.2017 made in I.A.No.744 of 2016 in O.S.No.114 of 2011 on the file of the Additional District Munsif Court, Padmanabapuram.

2. This Court by order, dated 03.03.2022 passed the following order:

"2.I.A.No.744 of 2016 in O.S.No.114 of 2011 was filed by the revision petitioner to condone the delay of 577 days in filing to restore the suit, which was dismissed by the learned Additional District Munsiff, Padmanabhapuram on the ground that already the suit was dismissed for default and restored on 17.11.2014. Again it was dismissed for default on 07.01.2012. He also produced the medical certificate along with this petition. Even though each and every delay has not been properly explained, the suit is tried to declaration for injunction, this Court is inclined to allow this petition on payment of cost of Rs.5,000/- (Rupees Five thousand only) to the respondent on or before

21.03.2022.



3.Call on 22.03.2022."

3. The matter is posted today under the caption "for reporting compliance". As per the order passed by this Court, dated 03.03.2022, the petitioner has paid a cost of Rs.5,000/- (Rupees Five Thousand only) to the respondent and he has also filed a memo to that effect and the same is recorded.

4. In view of the same, the Civil Revision Petition is allowed and the order, dated 10.08.2017 made in I.A.No.744 of 2016 in O.S.No.114 of 2011 on the file of the Additional District Munsif Court, Padmanabapuram. is set aside. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The Additional District Munsif, Padmanabapuram.

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-13803[F] dated 23/03/2022)

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22.03.2022

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