



C.R.P(PD)No.2524 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Civil Revision Petition (PD) No.2524 of 2016
and C.M.P.No.13002 of 2016

A.Martin

... Petitioner

Vs.

1.C.Rani

2.C.Dhanasekar

3.C.Mathimalar

4.Minor.Pooja

5.Minor Suriya

Minors Rep. by their guardian cum mother Mrs.C.Mathimalar (3rd defendant herein)
... Respondents

Civil Revision Petition filed under Article 227 of Constitution of India praying to allow the Civil Revision Petition and be pleased to set aside the Fair and Decretal order passed by the Trial Court dated 03.06.2016 in I.A.No.72 of 2016 in O.S.No.82 of 2012 pending on the file of the III Additional District Judge Court at Thiruvallur @ Poonamallee.

For Petitioner : No Appearance

For Respondents 1 to 3 : M/s.R.Muthamizh



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For Respondents 4 & 5 : No appearance

ORDER

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This Court by its order dated 13.07.2023 directed the Registry to send hearing notice informing the party-in-person that the matter will be taken for disposal on 24.07.2023. Subsequently, this Court has directed the Registry to sent a fresh notice to the party-in-person and adjourned the case to 28.08.2023.

2. When the matter was taken up for hearing on 28.08.2023, fresh notice which has been sent to the party-in-person came with an endorsement “service awaited”. Again the matter was listed on 12.09.2023, however, the party-in-person has not appeared before this Court. When the matter was taken up for hearing on 05.10.2023, there was no representation on behalf of the party-in-person. Hence, Registry was directed to list the case on 13.10.2023 under the caption “For Dismissal”.

3. Today, when the matter was taken up for hearing, there was no representation for the party-in-person. Hence, the matter was passed over



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and again called at 11.25 A.M., there was no representation. Hence, it is clear and evident that the party-in-person is not interested in prosecuting the case. Hence, this Court has no other option except to dismiss this Civil Revision Petition for non-prosecution.

4. In the result, this Civil Revision Petition is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

13.10.2023 (vm)

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No



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J.SATHYA NARAYANA PRASAD,J.

vm

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