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C.R.P.No.1463 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

C.R.P.No.1463 of 2023

M/s.Sri Balaha Chemicals P.Ltd.,
Represented by Chief Manager (Sales)/
Authorised signatory B.Ram Babu
PadmaEdifice, New No.2, Old No.9,
Annai Nagammai Street, Raja Annamalaipuram,
Chennai - 600 023.

. . . Petitioner

Versus

S.Karthikeyan

. . . Respondent

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the order dated 06.03.2023 in I.A.No.1 of 2022 in O.S.No.633 of 2021 on the file of the XVIII Additional City Civil Court, Chennai.

For Petitioner : Mr.K.K.Murralidharan

ORDER

This civil revision petition is filed challenging the order passed in I.A.No.1 of 2022 in O.S.No.633 of 2021 by the learned XVIII Additional Judge, City Civil Court, Chennai, wherein, the trial Court allowed the petition filed by the respondent/defendant for setting aside the *ex-parte* decree without



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even directing the respondent to file written statement within a particular time frame.

2. The learned counsel for the petitioner submitted that after obtaining an *ex-parte* decree, the petitioner/plaintiff has filed E.P.No.184 of 2022 before the Additional District Court, Coimbatore, wherein, the respondent/defendant evaded to receive notice, approached the trial Court and filed I.A.No.1 of 2021 to set aside the *ex-parte* decree and the same was allowed.

3. Considering the facts and circumstances, this civil revision petition is disposed of, directing the learned XVIII Additional Judge, City Civil Court, Chennai, to fix a specific date for filing written statement by the respondent/defendant in O.S.No.633 of 2021 and thereafter, to frame issues and dispose of the case as expeditiously as possible, not later than ten months from the date of receipt of a copy of this order. There shall be no order as to costs.

01.06.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

The XVIII Additional Judge,
City Civil Court,
Chennai.



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DR.D.NAGARJUN, J.,
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