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C.R.P.No.1573 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

C.R.P.No.1573 of 2023
and
C.M.P.No.10290 of 2023

Selvaraj

..Petitioner

Vs.

Karthik

..Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, praying to set aside the order and decree dated 21.02.2023, made in I.A.No.284 of 2022 in O.S.No.149 of 2020 on the file of Principal Sub-Court, Villupuram by allowing the present Revision.

For Petitioner : Mr.P.Dinesh Kumar

ORDER

This Civil Revision Petition is filed questioning the order passed in I.A.No.284 of 2022 in O.S.No.149 of 2020 on the file of Principal Sub Court, Villupuram, wherein, the petition under Order IX Rule 7 of the Code of Civil Procedure was dismissed.

2. It is submitted by the learned counsel for the petitioner that



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he was set *ex parte*. The suit was in the stage of examination of PW1 and it is also informed by the learned counsel that subsequent to the dismissal of I.A.No.284 of 2022, the trial Court went on to proceed with the case and ultimately the suit was decreed *ex parte* on 19.04.2022.

3. On account of the fact that the suit was decreed *ex parte*, even if this Revision came to be allowed, no purpose would be resolved as the suit itself is not in existence.

4. In view of the above, this Civil Revision Petition is disposed of, giving liberty to the petitioner to move the application under Order IX Rule 13 before the trial Court. No costs. Consequently, the connected miscellaneous petition is closed.

07.06.2023

dsa
Index :Yes/No
Internet :Yes/No
Neutral Citation :Yes/No
Speaking order/Non-Speaking order

To:-



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The Principal Sub-Court,
Villupuram.

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Dr.D.NAGARJUN, J.

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