



C.R.P.(NPD).No.3334 of 2019

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

CORAM

THE HONOURABLE **MR.JUSTICE N.SESHASAYEE**

C.R.P.(NPD).No.3334 of 2019

- 1.Thilagam
- 2.Sivaranjani
- 3.Minor Mageshwar

(Minor petitioner represented by
the next friend / mother Thilagam)

... Petitioners

Vs.

- 1.Indiraniammal
- 2.Murthy
- 3.Amudha

... Respondents

Prayer: Petition filed under Section 115 of Civil Procedure Code, seeking to set aside the fair and decreetal order dated 22.07.2019 made in I.A.No.2 of 2019 in O.S.No.97 of 2016 on the file of the District Munsif Cum Judicial Magistrate Court, Pochampalli, Krishnagiri District.

For Petitioners	: Mr.C.Prabakaran
For Respondents	: Mr.J.Hariharan for Mr.V.Nicholas



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ORDER

This Civil Revision Petition is laid challenging an order dismissing an application for restoration of a suit in I.A.No.2 of 2019 in O.S.No.97 of 2016. While allowing it, the trial Court imposed a cost of Rs.500/-, since the same was not paid, it was dismissed. Aggrieved by the same, this revision is filed.

2.Heard both sides.

3.On evaluating the rival submissions, this Court deems it appropriate to allow the revision but on an enhanced cost of Rs.2,000/- (Rupees Two Thousand only) to be paid to the respondents.

4.Learned counsel appearing for the revision petitioners / plaintiffs has instantly paid the said cost of Rs.2,000/- to the other side. The same is received by the other side and the payment is recorded hereby.

5.In view of the above, this Civil Revision Petition stands allowed. No Costs.

6.The trial Court is now required to kick start the trial and expedite its



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conclusion as the case is now in its 7th year of its institution.

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Anu

Index : yes / no

Internet : yes / no

Speaking / non speaking

Copy to:

The District Munsif Cum Judicial Magistrate Court,
Pochampalli
Krishnagiri District.

N.SESHASAYEE



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