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CRP(PD)No.3750 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.10.2023

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

C.R.P(PD)No.3750 of 2023

Umar Farook

... Petitioner

Versus

1. Aravindhan
2. Raghava Reddy
3. Mrs. Saravana Kumari
4. Shanthi
- 5.R. Gopi
6. S. Purusothaman
7. Mrs. B. Devi

...Respondents

Civil Revision Petition filed Under Article 227 of Constitution of India, praying to set aside the disposal order passed by the Hon'ble District Munisif Sriperumbadur in I.A.No.4 of 2023 in I.A.No.2 of 2023 in O.S.No.137 of 2023 dated 19.09.2023 and pass orders.



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For Petitioner : Mr. Preethi Baskar

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ORDER

This petition is filed to set aside the disposal order passed by the Hon'ble District Munisif Sriperumbadur in I.A.No.4 of 2023 in I.A.No.2 of 2023 in O.S.No.137 of 2023 dated 19.09.2023 and pass orders.

2. The case of the petitioner herein is that the respondents herein has filed a petition in I.A.No.4 of 2023 in I.A.No.2 of 2023 in O.S.No.137 of 2023 under Order IX Rule 7 and Section 151 of CPC praying to set aside the Ex-parte order dated 17.07.2023 passed in I.A.No.2 of 2023 and the same was allowed vide order dated 19.09.2023. Aggrieved over the same the petitioner has come up with this petition.

3. The learned counsel for the petitioner submitted that the petitioner is a defendant in I.A.No.4 of 2023 in I.A.No.2 of 2023 in O.S.No.137 of 2023 whileso, the Court below without issuing a notice has taken up the case for hearing and passed the impugned order mechanically. Hence he prays to allow this petition.



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5. On a perusal of the order passed on 17.07.2023 in I.A.No.2 of 2023 in O.S.No.137 of 2023 it is seen that the order was not passed on merits and simply mentioning the documents an order was passed which is a non-speaking order and the same is liable to be set aside and accordingly the same



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is set aside by the learned Judge, District Munsif, Sriperumbudur in I.A.No.4 of 2023 in I.A.No.2 of 2023 in O.S.No.137 of 2023 on 19.09.2023.

Therefore, this Court is of the considered view that the impugned order does not warrant interference by this Court and the same is hereby confirmed.

6. For the foregoing reasons, the Civil Revision Petition is dismissed.

No order as to costs.

11.10.2023

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
smn

To

1.The District Munsif Sriperumbudur

2.The Section Officer,
VR-Section, High Court of Madras.



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T.V.THAMILSELVI, J.

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