



CRP.(MD)No.2589 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

CRP.(MD)No.2589 of 2023

Sumathi

... Petitioner

Vs.

C.Velusamy

... Respondents

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Docketal order made in un-numbered I.A.SR.No.8288 of 2023 in O.S.No.355 of 2022 on the file of the Principal District Court, Karur, dated 15.09.2023.

For Petitioner : Mr.S.Gokul Raj

ORDER

This civil revision petition is directed as against the order of return dated 15.09.2023 returning the petition as judgment was pronounced.



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2.The learned counsel appearing for the petitioner would submit that the petitioner presented the application on 15.09.2023, but, the application was returned with an endorsement that judgment was pronounced. He would further submit that the application was filed in the morning on 15.09.2023 and the judgement was pronounced in the evening on the very same day and that therefore, one more opportunity may be given to the petitioner.

3.It is seen from B-Diary that the petitioner was set ex-parte as early as on 27.06.2023 and evidence was recorded on 17.08.2023 and posted the case on 25.08.2023 and 07.09.2023 for arguments and judgment was pronounced on 15.09.2023. Considering the above, the impugned order returning the petition cannot be found fault with. Accordingly, this civil revision petition is dismissed. The petitioner is at liberty to challenge the ex-parte judgment and decree under Order IX Rule 13 CPC. No costs.

07.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
gns



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To

The Principal District Court,
Karur.



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K.MURALI SHANKAR,J.

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