



C.R.P(MD)No.1906 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.07.2023**

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

C.R.P(MD)No.1906 of 2017

and

C.M.P(MD)No.9844 of 2017 and 10799 of 2022

1.Saraswathi

2.Ushadevi

3.Umadevi

4.Durgadevi

...Petitioners/Petitioners/
Appellants 6 to 9

Vs.

Lakshmi Traders, Kumbakonam,
Registered Partnership Firm,
Represented by its Managing Partners,
R.Muniaraja (Died)

1.Hariharan

2.Lavanya

...Respondents/Respondents/
Respondents

PRAYER: Civil Revision Petition is filed under Section 115 of C.P.C., to set aside the fair and decreetal order passed by the Principal Subordinate Judge, Kumbakonam in I.A.No.12 of 2014 in A.S.No.34 of 2007 dated 01.09.2017.



WEB COPY



C.R.P(MD)No.1906 of 2017

For Petitioners : No Appearance

For R1 & R2 : Mr.M.Karunanithi

ORDER

This civil revision petition has been filed against the order of dismissal of delay condonation application in I.A.No.12 of 2014 in A.S.No.34 of 2007 dated 01.09.2017 passed by the Principal Subordinate Judge, Kumbakonam.

2. From the perusal of the order sheet, dated 19.01.2022 this Court directed the Registry to send notice to the petitioners as the then learned counsel for the petitioners is no more. Thereafter, when the matter was again posted on 01.06.2023, this Court recorded the memo in respect of the withdrawal of vakalat by the learned counsel who subsequently appeared on behalf of the petitioners. Therefore, again this Court directed the Registry to issue notice to the petitioners. The notice sent through Court has been returned for want of time. However, the notice sent through RPAD has been returned with an endorsement "address is insufficient".



C.R.P(MD)No.1906 of 2017

3. The learned counsel for the respondents 1 and 2 submits that the appeal has been pending before the appellate Court since 2007 on the ground that civil revision is pending, and that the notice was effected to the last known address.

4. Since this civil revision petition is from the year of 2017 and there was no representation for the petitioner today and also in the previous hearing, and the address shown in the petition is insufficient as endorsed by the postal authority, this Court is of the view that no purpose will be served to keep this civil revision petition alive. Therefore, this Court is inclined to dismiss this civil revision petition.

5. Hence, the civil revision petition stands dismissed for default.
No costs. Consequently, connected miscellaneous petitions are closed.

04.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
sn



C.R.P(MD)No.1906 of 2017

To

WEB COPY

- 1.The Principal Subordinate Judge,
Kumbakonam
- 2.The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P(MD)No.1906 of 2017

C.KUMARAPPAN,J.

SN

C.R.P(MD)No.1906 of 2017

04.07.2023