



C.M.P.No.699 of 2024
in C.R.P.SR.No.131517 of 2023

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order and the marriage was dissolved. Later, the respondent filed a petition to set aside the ex-parte order on 22.06.2018 and notice was served to the petitioner on 04.08.2018. In the meanwhile, after the appeal period, the petitioner re-married on 11.07.2018 and the marriage has been registered on 12.07.2023. In the meanwhile, the case was transferred to Family Court, Tiruppur and re-numbered as H.M.O.P.No.8 of 2022. Later the petitioner came to know that the set aside petition was allowed on 31.12.2021.

3.The learned counsel submitted that the petitioner is suffered with renal disease and hypertension. Due to the Covid-19 restriction, the petitioner was unable to appear before the Court. Further due to renal disease, his movements were restricted. Hence, he could not apply for the order copy and copy application made only on 31.08.2023, copies made ready on 01.09.2023 and the same was received on 08.09.2023. For this reason, the delay has occurred.



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4.The learned counsel for respondent strongly objected to the same stating that the respondent set ex-parte on 12.04.2018, within 90 days, she filed a set aside petition on 22.06.2018. Knowing about the same, the petitioner had a second marriage on 11.07.2018. Further, he deserted the respondent as well as their children and not taking care of them. The petitioner fully ignored them and citing his health condition as a reason for delay is not acceptable. Further, the learned counsel submitted that the respondent is willing for a settlement and requested that the matter may be referred to the mediation. The learned counsel for petitioner is also agrees to the same.

5.Considering the submissions made on either side, it is seen that the petitioner is a renal disease patient and during covid -19 period there was a restriction of movement. Due to renal failure there was some



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M.NIRMAL KUMAR, J.

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additional restriction for the petitioner. Finding that the reason given by the petitioner is acceptable, the delay stands condoned and the petition is ordered.

22.07.2024

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Note: Registry is directed to number the Civil Revision Petition, if it is otherwise in order and post the same for Admission on 24.07.2024.

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