



C.R.P.No.474 of 2022

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.No.474 of 2022

Jaya @ Jayalakshmi

..Petitioner

Vs.

Rajamani @ Mani

..Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 10.11.2021 passed by the learned III Additional District Judge, Salem in I.A.No.1 of 2021 in O.S.No.32 of 2016 by allowing the Revision Petition.

For Petitioner : Mr.J.Sudhakaran

For Respondent : Mr.P.Jagadeesan

ORDER

The Revision is at the instance of the defendant. Challenge is to the order of dismissal of the application filed seeking amendment of the written statement.



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2. The learned counsel appearing for the petitioner would submit that subsequent to the filing of the revision, the suit itself was decreed *ex parte* on 09.12.2021. Therefore, the revision has become infructuous. The learned counsel would however submit that he should be given liberty to seek restoration of the Civil Revision Petition, if *ex parte* decree is set aside.

3. Considering the same, this Civil Revision Petition is **disposed of** as having become infructuous with liberty to seek restoration, if the *ex parte* decree is set aside. No costs.

11.01.2024

dsa

Index : No

Internet : Yes

Neutral Citation : No

Speaking order



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To

The III Additional District Judge,
Salem.

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R.SUBRAMANIAN,J.

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