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C.R.P.No.886 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2024

CORAM

THE HONOURABLE Mrs. JUSTICE R.KALAIMATHI

C.R.P.No.886 of 2023

and C.M.P.No.6672 of 2023

1. N. Kalavathi

2. N. Jothikumar

...Petitioners

vs.

S.P.Saravanakumar

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to setting aside the docket order dated 14.12.2022 against I.A.No.2 of 2022 in O.S.No.692 of 2020, on the file of 5th Additional District Judge, Coimbatore.

For Petitioners : Mr.M.Jaisingh

For Respondent : Mr.C.R.Prasanan

ORDER

This Civil Revision Petition is filed by the defendants against the docket order dated 14.12.2022 passed in I.A.No.2 of 2022 in O.S.No.692 of 2020 on the file of the learned V - Additional District Judge, Coimbatore.

2. As the defendants were set exparte by an Order dated



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16.12.2021, an application was taken by the revision petitioners to set aside the said order. Based on the endorsement made by the learned counsel for the respondent, the learned Trial Judge ordered to allow the petition on payment of costs of Rs.1000/- to be paid on or before 13.12.2022. When the matter was adjourned on 14.12.2022, as there was no representation, the petition was dismissed as it was not reported as to compliance. Against the said order, the present revision petition is filed.

3. Heard Mr.M.Jaisingh, learned counsel for the petitioners and Mr.C.R.Prasanan, learned counsel for the respondent.

4. Mr.C.R.Prasanan, the learned counsel for the respondent would submit that Rs.1000/- was received on 13.12.2022 itself.

5. Recording the said details, in order to do full and effective justice, this Civil Revision Petition stands allowed. In the result, the order dated 14.12.2022 passed by the learned Trial Judge stands set aside. There is no order as to costs. Consequently, connected Civil Miscellaneous Petition stands closed.

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Index : Yes/No



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Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

The V- Additional District Judge,

Coimbatore.



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R.KALAIMATHI, J.

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