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*C.M.P.No.9922 of 2023
in C.R.P.SR.No.15480 of 2023*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

**C.M.P.No.9922 of 2023
in C.R.P.SR.No.15480 of 2023**

L.Xavier

... Petitioner

Vs

1. Pattamal @ Arokyamary
2. Lilly Mary
3. Rose Mary
4. James
5. A.Sebastinraj
6. Irudhaya Raj
7. Nirmala
8. John Bosco
9. Rani @ Mari Thangam
10. Sebastin Raj
11. Joseph
12. Prakasam
13. Daisy
14. Vimala @ Santhanamary
15. Antony Samy
16. Gnana Mary
17. John Bosco
18. Chinna Pappa
19. Tanis Las
20. Thambu Raj
21. Dhandapani
22. Ramesh



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23. Raja @ Rajendran

24. Shanthi

25. K.N.Thiyagarajan

26. V.S.Mahalakshmi

27. Rajeswari

28. The Joint Registrar,
No.3, Dr.Rajiv Gandhi Road,
East Permanoor, Salem.

29. The Deputy Collector (Stamps)
Office of RDO Collector,
Salem -1.

30. The Inspector General of Registration,
Santhome High Road, Foreshore Estate,
Chennai.

31. Selvaraj

... Respondents

Prayer in C.M.P.No.9922 of 2023 : Civil Miscellaneous Petition filed under Section 5 of Limitation Act, pleaded to condone the delay of 1178 days in filing the Civil Revision Petition SR.No.15480 of 2023.

Prayer in C.R.P.SR.No.15480 of 2023 : Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, pleaded to set aside the order dated 14.10.2019 made in I.A.No.204 of 2015 in O.S.No.1139 of 2011 on the file of the Principal District Munsif Court, Salem.

For Petitioners : Mr.P.Tamilavel
For R21, R22 &
R24 to R27 : Mr.S.Sivakumar
For R28 to R30 : Mr.A.Anandan
Government Advocate



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ORDER

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This Civil Miscellaneous Petition has been filed seeking to condone the delay of 1178 days in filing the revision petition against the order passed by the Principal District Munsif Court, Salem, in I.A.No.204 of 2015 in O.S.No.1139 of 2011 on 14.10.2019.

2. When the matter was taken up on 19.10.2024, it was submitted by the learned counsel appearing for respondents 21, 22 & 24 to 27 that the petitioner had earlier filed a revision petition in C.R.P.No.625 of 2021 before this Court challenging the very same order passed in I.A.No.204 of 2015 in O.S.No.1139 of 2011 on 14.10.2019 and this Court, by an order dated 14.06.2023, had dismissed the revision petition, however, suppressing the earlier order, the petitioner has once again filed another revision petition with same prayer and seeking to condone the delay. In reply, the learned counsel for the petitioner sought time to get instructions from the petitioner.

3. Today, the petitioner is also present before this Court and submitted that earlier his signature was obtained in a blank paper and he was not aware that the earlier revision petition had been filed against the impugned order.



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4. Learned Government Advocate appearing for respondents 28 to 30 submitted that the petitioner had earlier filed a revision petition challenging the same impugned order and the same was dismissed by this Court on 14.06.2023.

5. Heard both sides and perused the materials available on record.

6. Perusal of record shows that the Civil Revision Petition in C.R.P.No.625 of 2021 had been filed against the order passed in I.A.No.204 of 2015 in O.S.No.1139 of 2011 on 14.10.2019, on the file of the Principal District Munsif Court, Salem and the same was dismissed by this Court on 14.06.2023. This Court is of the opinion that the petitioner feigning ignorance has filed the revision suppressing the earlier revision and its dismissal. Accordingly, the Civil Revision Petition is dismissed with cost of Rs.5000/-.

7. The petitioner is directed to deposit a sum of Rs.5000/- (Rupees Five Thousand only) to the credit of "Tamil Nadu State Legal Services Authority, Chennai", within a period of two weeks from the date of receipt of copy of this order.



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WEB COPY 8. Consequently, the Civil Revision Petition in C.R.P.SR.No.15480 of 2023

is also hereby rejected at the SR stage itself. No costs.

24.10.2024

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Index : Yes / No

Neutral Citation : Yes / No

To : The Principal District Munsif Court, Salem.



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A.D.JAGADISH CHANDIRA, J.

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