



C.R.P. (MD) No. 159 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P. (MD) No. 159 of 2024

Paramasivan

... Petitioner/

Defendant

-VS-

Murugesan

... Respondent/
Plaintiff

PRAYER: Civil Revision Petition filed under Article 225 of the Constitution of India, to set aside the fair and decretal order dated 18.10.2023 passed in I.A.No.2 of 2023 in I.A.No.1 of 1 of 2020 in O.S.No.60 of 2015 on the file of Sub-Court, Ambasamudram by allowing this Civil Revision Petition.

For Petitioner : Mr.A.Jeyakumar

For Respondents : Mr.R.J.Karthick

ORDER

This Civil Revision Petition is filed aggrieved by the order dated 18.10.2023 made in I.A.No.2 of 2023 in I.A.No.1 of 1 of 2020 in O.S.No.60 of 2015



C.R.P. (MD) No. 159 of 2024

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2. The said suit is filed for recovery of money. Exparte decree in the said suit was passed on 03.12.2016. Thereafter, an application to set aside the *exparte* decree along with an application to condone the delay of 1275 days was filed. When the said application was posted for hearing again, the said application was left for default. Thereafter, the present interlocutory application is filed to restore the said application for condonation of delay again with a delay of 272 days, which is now dismissed by the Trial Court.

3. Therefore, the above facts itself would clearly demonstrate as to how the parties are conducting the proceedings and the proceedings are protracted. No Court in the present times should entertain these kind of carelessness and protracting the proceedings. The Trial Court has rightly dismissed the above application and the Civil Revision Petition is without any merits and as such, it is dismissed. Since the execution petition is pending, the Execution Court is requested to take up the execution petition for expeditious disposal. No Costs.

15.07.2024

Index : No
NCC : No

PKN



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C.R.P. (MD) No. 159 of 2024

To

1. The Sub-Court, Ambasamudram.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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C.R.P. (MD) No. 159 of 2024

D.BHARATHA CHAKRAVARTHY, J.

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C.R.P. (MD) No. 159 of 2024

15.07.2024