



C.R.P. (MD) No. 1756 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P. (MD) No. 1756 of 2024

and

C.M.P (MD) No.10080 of 2024

S.Kanirajan

... Petitioner/

Defendant

-VS-

K.Surendran

... Respondent/

Plaintiff

PRAYER: Civil Revision Petition filed under Article 225 of the Constitution of India, to call for the records and to set aside the fair and decreetal order passed in I.A.No.1 of 2023 in O.S.No.342 of 2017 on the file of the learned Additional Sub-Judge, Dindigul, dated 27.09.2023 by allowing this Civil Revision Petition.

For Petitioner : Mr.S.Sankar



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ORDER

The Civil Revision Petition is directed against an order dated 27.09.2023 made in I.A.No.1 of 2023 in O.S.No.342 of 2017.

2. In the said suit, an exparte decree was passed on 03.03.2018. The defendant filed an application to condone the delay in setting aside the exparte decree in I.A.No.435 of 2018. The same was allowed on 05.03.2019 with the costs of Rs.500/-. Since the cost was not paid, the said application was dismissed. While so, four years later, the very same application is now filed once again to condone the delay of 1772 days. As such, the Trial Court has rightly dismissed the petition. Therefore, finding no merits, this Civil Revision Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

01.08.2024

NCC : Yes/No
PKN



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To

1. The Additional Sub-Court, Dindigul.



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D.BHARATHA CHAKRAVARTHY, J.

PKN

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