



C.R.P.(MD)No.682 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.682 of 2024
and C.M.P.(MD).No.3417 of 2024

1.Thavasi Pandi Thevar
2.Rajammal

... Petitioners/Petitioners/Defendants

Vs.

Augustin Raj

... Respondent/Respondent/Plaintiff

PRAYER : Civil Revision Petition is filed under Section 115 of Civil Procedure Code, to allow the civil revision petition by setting aside the fair order and decreetal order passed in I.A.No.859 of 2015 in O.S.No. 269 of 2012, dated 18.09.2018 on the file of the Sub Court, Tuticorin.

For Petitioners : Mr.S.Senthil Sanakara Natha Kumar

For Respondents : Mr.P.Mani Anandh.

ORDER

This revision petition has been filed against the dismissal order, dated 18.09.2018 passed in I.A.No.859 of 2015, which was filed to condone the delay of 217 days caused in filing the petition to set aside



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the exparte order passed against the revision petitioners/ defendants in O.S.No.269 of 2012 dated 16.07.2014.

2.Considering the facts and circumstances of this case and the reasons stated in the affidavit filed in support of this petition, by the order dated 28.11.2024, the petitioners were directed to pay a sum of Rs.3,000/- (Rupees Three Thousand only) to the respondent on or before 16.12.2024.

3.Today, the learned counsel for petitioners submitted the cost memo stating the cost was paid to the respondent as directed by this Court.

4.In view of the compliance of the above said order, this civil revision petition stands allowed and the impugned order, dated 18.09.2018 passed in I.A.No.859 of 2015, which was filed to condone the delay of 217 days caused in filing the petition to set aside the exparte order passed against the revision petitioners/ defendants in O.S.No.269 of 2012 dated 16.07.2014, is hereby set aside and the trial Court is directed to restore the suit in O.S.No.269 of 2012 to its file and proceed in accordance with law. Considering the oldness of the matter, there shall



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be a direction to the trial Court to expedite the above said trial process and dispose of the same within a period of five months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

16.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Subordinate Judge, Thoothukudi.
- 2.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN,J.

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