



C.R.P.(MD)No.2347 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2347 of 2024
and
C.M.P.(MD)No.13314 of 2024

Petchiammal

... Petitioner / Petitioner /
3rd Defendant / 3rd Defendant

Vs.

1.Arumugathammal

... 1st Respondent / 1st Respondent /
Petitioner / Plaintiff

2.Ramasamy Konar

3.Utchimahali

4.Ramalakshmi

... 2-4 Respondents / 2-4 Respondents/
Respondents / 1, 2, 4 Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed in I.A.No.1 of 2024 in I.A.No.413 of 2013 in O.S.No.63 of 2008 dated 04.07.2024 on the file of the Principal Sub Court, Tirunelveli and allow the civil revision petition and allow I.A.No.1 of 2024.



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For Petitioner : Mr.T.Selvan

ORDER

Heard the learned counsel for the revision petitioner.

2. The revision petitioner figured as third defendant in O.S.No.63 of 2008 on the file of the Principal Sub Court, Tirunelveli and it was a suit for partition. Preliminary decree was passed. I.A.No.413 of 2013 was filed for passing final decree. Final decree was also passed on 04.11.2013. The petitioner appears to have been set exparte. To set aside the same, the petitioner filed I.A.No.1 of 2024. The court below took note of the fact that the petitioner conceded that summons were served on her on 4.11.2013 itself.

3. I went through the affidavit filed in support of I.A.No.1 of 2024. No sufficient cause has been made out. The court below cannot be faulted for having dismissed IA. Interference is not warranted. The civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
rmi



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To

The Principal Sub Court, Tirunelveli.



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G.R.SWAMINATHAN, J.

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