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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP Nos. 2084 & 2085 of 2025

and

CMP No. 12170 of 2025

D. Alexander

Petitioner(s) in 2 CRPs

Vs

1.M/s.Shriram Chits Tamil Nadu
Private Limited,
Rep. by its Law Officer, Mr.Sivaraja,
No.124, Kutchery Road, Mylapore,
Chennai 600 004.

2.D.Selvin Johnson
3.S.Bhovasmullar
4.R. Bakthavachalam

Respondent(s) in 2 CRPs

CRP No. 2084 of 2025

PRAYER

Civil Revision Petition has been filed under Section 115 of the Code of Civil Procedure, to set aside the Order dated 28.01.2025 made in EA.No.3 of 2024 in EP.No.5 of 2022 in ARC No.125 of 2021 passed by the IX Assistant City Civil Court, Chennai.

CRP No. 2085 of 2025

PRAYER

Civil Revision Petition has been filed under Section 115 of the Code of Civil Procedure, to set aside the Order dated 28.01.2025 made in EA.No.4 of 2024 in EP.No.5 of 2022 in ARC No.125 of 2021 passed by the IX Assistant City Civil Court, Chennai.



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For Petitioner(s): No Appearance (in 2 CRPs)_

For Respondent(s): Mr.S.Prabhu For R1
(in 2 CRPs)_

COMMON ORDER

Despite sufficient opportunities being granted to the revision petitioner to amicably settle the amounts due with the 1st respondent/decreed holder, the petitioner has not made out any concrete efforts to do so.

2. Accordingly to his instructions, Mr.S.Prabhu, learned counsel appearing on behalf of the respondent/Chit Fund Company would state that the petitioner has approached the respondent only once, and even then, no concrete proposal for settling the amounts was offered.

3. The petitioner/4th judgment debtor in E.P.No.5 of 2022 filed an application under Order XXI Rule 105(3) of the Code of Civil Procedure to condone delay of 580 days in filing the petition in E.P.No.5 of 2022 in ARC.No.125 of 2021. The petitioner, along with the other judgment debtors, suffered an award in ARC No.125 of 2021. In order to execute the award, E.P.No.5 of 2022 was passed and in the execution proceedings, the petitioner was set exparte on 04.01.2023. To set aside the said exparte order, the petitioner filed an application along with a petition under Section 5 of the Limitation Act to condone the delay of 580 days in filing the application to set aside the exparte



order in E.P.No.5 of 2022.

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4. Except for stating that the petitioner could not appear on 04.01.2023 due to work pressure, the petitioner has not given any valid or substantiated reasons for his absences on 05.01.2023 nor for the inordinate delay of 580 days in moving the application to set aside the exparte order. The Executing Court has rightly considered the cause shown by the petitioner and found it to be insufficient and I do not find any merits in the revision petition warranting interference with the impugned orders.

5. Accordingly, these Civil Revision Petitions stand dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

08-12-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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P.B.BALAJI J.

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**CRP Nos. 2084 & 2085
of 2025**

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