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C.M.P.No.3026 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19-12-2025

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THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

C.M.P.No.3026 of 2023
in C.R.P.No.1269 of 2020

C.R.P.No.1269 of 2020:

Narasammal

...Petitioner/Petitioner/1st Defendant
Vs

Kanniappan (deceased)

1.Venkammal

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

2.Tamil Nadu Slum Clearance Board
represented by its Chairman
having its Office at
No.5, Kamaraja Salai,
Chennai – 600 005.

...2nd Respondent/2nd Respondent/ 2nd
Defendant

C.M.P.No.3026 of 2023:

Narasammal

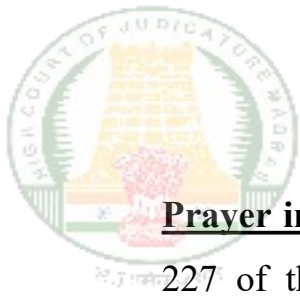
...Petitioner/Petitioner
Vs.

1.Kanniappan (deceased)

2.Venkammal

3.Tamil Nadu Slum Clearance Board
represented by its Chairman
having its Office at
No.5, Kamaraja Salai,
Chennai – 600 005.

...Respondents/Respondents



Prayer in C.R.P.No.1269 of 2020: Civil Revision Petition filed under Article 227 of the Constitution of India, 1950, praying to set aside the Order and Decretal Order dated January 21, 2019 made in I.A.No.2894 of 2017 in O.S.No.1398 of 2005 on the file of the XVI Assistant Judge, City Civil Court, Chennai and to allow the above Civil Revision Petition.

Prayer in C.M.P.No.3026 of 2020: Civil Miscellaneous Petition filed under Order IX Rule 9 of the Code of Civil Procedure, 1908, praying to set aside the Order dated September 08, 2022 in C.R.P.No.1269 of 2020 which was dismissed for non prosecution and to restore the same on the file of this Court.

For Petitioner : Ms.S. Ishwarya
for Mr.C.Arun Bagath

For Respondent-3 : Mr.S.Karthikeyan,
Standing Counsel

ORDER

Ms.S.Ishwarya, representing Mr.C.Arun Bagath, counsel on record for the Revision Petitioner and Mr.S.Karthikeyan, learned Standing Counsel appearing for the 3rd Respondent are before this Court.

2.When this matter came up for hearing, the Representing Counsel for the Revision Petitioner seeks adjournment.

3.This Court is not inclined to adjourn this Civil Miscellaneous Petition for the reason that the Counsel appearing for the Petitioner seeks adjournment



for various reasons on previous hearing dates. Relevant extract of adjudication on the previous hearing dates are extracted herein below:

15.09.2025	-No representation for the petitioner. List the matter on 19.09.2025 under the cause list caption “for dismissal”.
19.09.2025	-No representation for the petitioner. 2.This Civil Miscellaneous Petition is filed to restore the main C.R.P.No.1269 of 2020 which was dismissed on September 8, 2022. Despite sufficient opportunity, the petitioner has not turned up. However, with a view to give one more opportunity to the petitioner, this Civil Miscellaneous Petition is adjourned to 10.10.2025. it is made clear that no further adjournment will be granted to the petitioner. 3.List the matter on 10.10.2025.
10.10.2025	-M/s.S. Sharmila, representing counsel for the Revision Petitioner submits that the Revision Petitioner is not ready to argue the matter today. 2.It is apposite to state here that when the matter was listed on 19.09.2025, this Court observed as follows: <i>“No representation for the petitioner.</i> <i>2.This Civil Miscellaneous Petition is filed to restore the main C.R.P.No.1269 of 2020 which was dismissed on September 8, 2022. Despite sufficient opportunity, the petitioner has not turned up. However, with a view to give one more opportunity to the petitioner, this Civil Miscellaneous Petition is adjourned</i>



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	<i>to 10.10.2025. It is made clear that no further adjournment will be granted to the petitioner.”</i> 3. In view of the above fact, this Court is inclined to list the matter on 24.10.2025 under the caption “for dismissal”.
24.10.2025	Ms. Selvi George, representing Mr. C. Arun Bagath, learned counsel on record for the revision petitioner is before this Court. 2. This Court has perused the case file. 3. Issue fresh notice to the respondents through Court as well as privately returnable by 28.11.2025. 4. The revision petitioner shall file proper batta memo within three working days from today. 5. Further, the revision petitioner is permitted to take notice to the 2nd respondent through Trial Court also. 6. The Registry is directed to remove the cause list caption “for dismissal”.
28.11.2025	Ms. S. Sharmila, representing Mr. C. Arun Bagath, Counsel on record for the Petitioner submits that the 1st Respondent in the main Civil Revision Petition passed away. Hence, she seeks time to bring on record the Legal Heir(s)/Legal Representative(s) of the deceased 1st Respondent. 2. Request acceded to. 3. List the matter on 19.12.2025. 4. It is made clear that no further adjournment will be granted on that date.



4.Despite sufficient opportunities have been given, the learned Counsel appearing for the Revision Petitioner has not proceeded with the matter. Hence, there is no other option except to dismiss this petition. Accordingly, this Civil Miscellaneous Petition is dismissed for non prosecution.

19-12-2025

mps

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The XVI Assistant Judge,
City Civil Court,
Chennai.



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C.M.P.No.3026 of 2



R.SAKTHIVEL, J.

mps

C.M.P.No.3026 of 2023
in
C.R.P.No.1269 of 2020
and C.M.P.No.6895 of 2020

19-12-2025