



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 20.03.2025

CORAM

**THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR**

**C.R.P.(NPD)(MD)No.864 of 2025**

**and**

**C.M.P(MD)No.4614 of 2025**

R.Santhanapandiyan

... Petitioner/Petitioner/Defendant

Vs.

The Commissioner,  
Theni Allinagaram Municipality,  
Periyakulam Road,  
Theni Municipal Town,  
Theni District.

... Respondent/ Respondent/Plaintiff

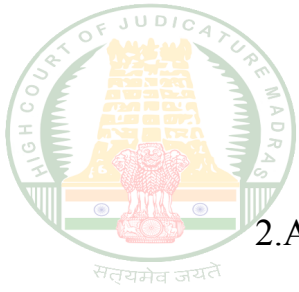
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records an set aside the Fair and Ex-order passed in I.A.No. 1 of 2023 in O.S.No.291 of 2017 dated 01.02.2025 on the file of the learned Sub Court, Theni District, by allowing this Civil Revision Petition.

For Petitioner : Mr.S.Sarvagan Prabhu

\* \* \* \* \*

**ORDER**

The defendant in O.S.No.291 of 2017, on the file of the Sub Court, Theni, has filed the present revision petition, challenging the dismissal of his application to condone the delay of 1167 days in filing an application to set aside the ex-parte decree.



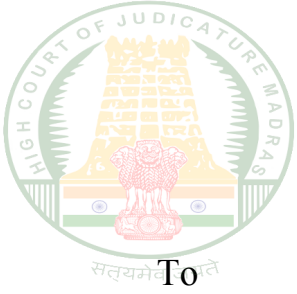
2.A perusal of the records reveal that the suit has been filed by the Theni Allinagaram Municipality for recovery of rental arrears of Rs.4,41,329/-. The defendant was set ex-parte on 12.06.2018 and ex-parte decree came to be passed on 23.06.2020. The present application to set aside the ex-parte order in I.A.No.1 of 2023, has been filed on 03.10.2023, with a delay of 1167 days. The said application has been dismissed by the trial Court. Challenging the same, the present revision petition has been filed.

3.A perusal of the condone delay application reveals that no reasons have been assigned, whatsoever, for the huge delay of 1167 days in filing an application to set aside the ex-parte decree. The trial Court has rightly rejected the said application. There are no merits in the revision petition.

4.Accordingly, this Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

**20.03.2025**

Internet:Yes/No  
Index:Yes/No  
RJR



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To  
The learned Sub Judge, Theni District.

**Copy to:-**

The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR, J.

RJR

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20.03.2025