

CRP(NPD)(MD).No.1354 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(NPD)(MD).No.1354 of 2025
and CMP(MD).No.7062 of 2025

S.Sri Akilan Petitioner/Petitioner/Respondent

-VS-

VenkateshwariRespondent/Respondent/Petitioner

PRAYER: The Civil Revision Petition has been filed under Article 227 of Constitution of India, to set aside the order dated 28.02.2025 passed in Crl.M.P.No.3750 of 2024 in M.C.No.02 of 2019 on the file of the Judicial Magistrate Court, Valliyoor, Tirunelveli District and allow the above civil revision petition.

For Petitioner : Mr.B.Prahalad Ravi

ORDER

The respondent in M.C.No.2 of 2019 on the file of the Judicial Magistrate Court, Valliyoor has filed the present civil revision petition challenging the order passed in Crl.M.P.No.3750 of 2024 wherein the Judicial Magistrate has rejected an application to condone the delay of 1258 days in filing an application to set aside the exparte decree.



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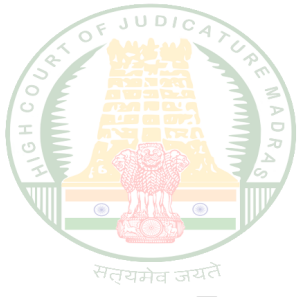
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2.A perusal of the records reveals that the maintenance case has been filed invoking Section 125 of Cr.P.C. In such circumstances, the petitioner is having effective statutory alternative remedy for filing revision petition. Therefore, the present civil revision petition has been filed under Article 227 of Constitution of India is not maintainable.

3.Therefore, this civil revision petition stands closed granting liberty to the petitioner to file a revision before the appropriate Court. The time spent between 09.04.2025 till the date of receipt of copy of this order from this Court shall stand excluded for the purposes of calculating the limitation period. No costs. Consequently, connected miscellaneous petition is closed.

28.04.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
msa



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To

1.The Judicial Magistrate,
Valliyoor, Tirunelveli District

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J

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