



C.R.P(NPD)(MD)No.2276 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.01.2025

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(NPD)(MD)No.2276 of 2022

Jerina Beevi

... Petitioner

Vs

1.Mohaideen Meeral

2.Thahira

3.Nizamudeen

4.Burhanudeen

... Respondents

Prayer : This Civil Revision Petition is filed under Section 115 of C.P.C., against the fair and decreetal order made in I.A.No.753 of 2014 in O.S.No.180 of 2010 dated 30.10.2019 on the file of the Principle Sub-Court, Tenkasi.

For Petitioner : Mr.H.Arumugam for
Mr.S.Kumar

For Respondents : Mr.A.Ansar for R1, R2 & R4
No Appearance for R3



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ORDER

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This Civil Revision Petition is filed against the fair and decreetal order made in I.A.No.753 of 2014 in O.S.No.180 of 2010 dated 30.10.2019 on the file of the Principle Sub-Court, Tenkasi.

2. The suit in O.S.No.180 of 2010 was filed by the revision petitioner herein against the respondents herein, seeking 15/48 share in the suit schedule property, for separate possession and for cost. The respondents have filed their written statement. Due to the non appearance of the petitioner herein, the suit was dismissed for default on 06.12.2012. Thereafter, I.A.No.753 of 2014 was filed by the petitioner herein to restore the suit stating that since she was in Malaysia, she could not appear for the trial process. That petition was dismissed by the trial Court stating that no document was produced by the revision petitioner to show that she was in Malaysia and this petition is filed only to drag on the proceedings. Against the order of dismissal, this Civil Revision Petition is filed.



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3. When the matter was taken up for hearing, learned counsel for the respondent has no objection to allow this Revision Petition. However, a request has been made by the respondent to give a direction to the trial Court to complete the trial within a time stipulated by this Court.

4. Considering the oldness of the suit, there shall be a direction to the learned Principal Subordinate Judge, Tenkasi, to conclude the trial process within a period of six months from the date of restoration of the suit on file.

5. With the above direction, this Civil Revision Petition is allowed and the I.A.No.753 of 2014 in O.S.No.180 of 2010 dated 30.10.2019 on the file of the Principle Sub-Court, Tenkasi, stands allowed. No costs.

10.01.2025

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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G.ILANGO VAN, J.

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To

- 1.The Principle Sub-Court, Tenkasi.
- 2.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

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