



CRP(MD). No.1995 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 25/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1995 of 2025
and CMP(MD) No.11516 of 2025**

Anandhan

... Petitioner

v.

Perumal Thevar (Died)
Seeniyammal

... Respondent

PRAYER :-Civil Revision Petition filed under Section 115 of Civil Procedure Code, to call for the records and set aside the order dated 05.04.2025 made in IA No.540/2023 in OS No.1088/2012 by the Sub Court, Usilampatti

For Petitioner : Mr.V.Selvakumar

ORDER

The Civil Revision Petition is filed against the order dated 05.04.2025 in IA No.540/2023 in OS No.1088/2012 on the file of the Sub Court, Usilampatti.



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2. Since no adverse orders are going to be passed against the respondent, notice to the respondent is dispensed with.

3. The petitioner is the plaintiff in OS No.1088/2012 and the suit is instituted for execution of sale deed as per the agreement and for permanent injunction. The said suit was decreed exparte on 09.06.2016. Subsequently an interlocutory application was filed in IA No.540/2023 by the defendant's wife/respondent under Section 5 of the Limitation Act and Order IX Rule 13 of the Code of Civil Procedure to set aside the exparte decree and for impleading the respondent as 2nd defendant. The said petition came to be allowed and the suit is restored and challenging the said order, the petitioner is before this Court.

4. Though the petitioner has challenged the order dated 05.04.2025 for impleading the respondent as 2nd defendant in the suit and set aside the exparte decree, the learned counsel would submit that since the suit is of the year 2012, it would suffice if a direction is issued to the trial Court to dispose of the suit at the earliest.



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5.Considering the limited scope of the matter and without advertng to the merits of the matter and taking into consideration the facts and circumstances of the case, the trial Court is directed to dispose of OS No.1088/2012 as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

6.Accordingly, the Civil Revision Petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

25.07.2025

NCC : Yes/No
Index : Yes/No
RR

TO

1.The Sub Court, Usilampatti

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
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Date : 25/07/2025