



CRP(MD). No.3469 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25/11/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

**CRP(MD). No.3469 of 2025
and
C.M.P(MD).No.18739 of 2025**

B.R.Shankar,

... Petitioner

Vs

1. V.Kalyani,
W/o.Late.Viswanathan,
2. V.Harshavarthan,
S/o.Late.Viswanathan,
3. V.Kamalesh,
S/o.Late.Viswanathan,

... Respondents

PRAYER :-Civil Revision Petition filed under Section 115 of Civil Procedure Code, to allow this civil revision petition by setting aside the fair order and decretal order in I.A.No.03 of 2025 in OS.No.178 of 2022 rendered by II Additional District Sessions Judge, Thanajvur dated 18-09-2025 by allowing the civil revision petition or in the alternative confirm the order of lower court with heavy cost with a direction to dispose of I.A.No.276 of 2022 immediately and with a further direction to dispose of the suit in O.S.No.178 of 2022 within a reasonable time fixed by this Court.



CRP(MD). No.3469 of 2025

For Petitioner : N.Balakrishnan,

WEB COPY

ORDER

This Civil Revision Petition has been filed to set aside the fair order and decretal order in I.A.No.03 of 2025 in OS.No.178 of 2022 rendered by II Additional District Sessions Judge, Thanajvur dated 18-09-2025 by allowing the civil revision petition or in the alternative confirm the order of lower court with heavy cost with a direction to dispose of I.A.No.276 of 2022 immediately and with a further direction to dispose of the suit in O.S.No.178 of 2022

2. An application to condone the delay of 309 days in filing the petition to set aside the ex-parte decree had been ordered on payment of costs of Rs.2,000/- and the Court below had directed the petition in I.A.No.4 of 2025 filed to set aside the ex-parte decree for hearing.

3. It is also brought to the notice of this Court that the suit was filed for recovery as early as in the year 2022 and that the petitioner has also filed an interlocutory application for attachment of the petition



CRP(MD). No.3469 of 2025

mentioned properties. When the ex-parte decree was ordered, no order of attachment was made to the property.

4. In view of the above, the learned II Additional District and Sessions Judge, Thanjavur, is directed to dispose of I.A. No. 4 of 2025, filed by the respondents within a period of eight weeks from the date of receipt of a copy of this order, along with the application to be filed by the petitioner for attachment of the properties.

5. With the above directions, this Civil Revision Petition is disposed of. No Costs.

25.11.2025

tta

TO

II Additional District and Sessions Court,
Thanjavur.

3/4



WEB COPY



CRP(MD). No.3469 of 2025

K.KUMARESH BABU,J

tta

**ORDER
IN
CRP(MD) No.3469 of 2025**

Date : 25/11/2025