



C.R.P(MD)No.3004 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 22.10.2025

DELIVERED ON: 26.11.2025

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

C.R.P(MD)No.3004 of 2025

and

C.M.P(MD)No.17051 of 2025

R.Natesan

...Petitioner/1st Respondent

Vs.

V.Valliammal

...Respondent/Petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to allow the civil revision petition with cost by setting aside the fair and decreetal order passed in I.A.No.1 of 2025 in R.L.T.O.P.No.4 of 2022 on the file of the I Additional District Munsif, Nagercoil.

For Petitioner : Mr.P.Prabhakaran

ORDER

The instant Civil Revision Petition has been filed to set aside the fair and decreetal order passed in I.A.No.1 of 2025 in R.L.T.O.P.No.4 of 2022 on the file of the I Additional District Munsif, Nagercoil.



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2. The learned counsel for the petitioner submits that the respondent herein had initiated rent control proceedings against the petitioner, in which the petitioner was set *ex parte* on 04.07.2023 for not filing his counter. An *ex parte* order came to be passed on 25.09.2023. During this period, the petitioner was not keeping well and unable to walk. Thereafter, having knowledge about the judgment passed against him, he has filed an application to set aside the *ex parte* order, in which there was delay of 514 days. Hence, he has also filed an application to condone the delay. The Court below dismissed the same without considering the hardship caused to the petitioner. He submits that the petitioner has a substantive case and if he is not permitted to contest the rent control proceedings on merits, it cause serious prejudice. Hence, he seeks the indulgence of this Court.

3. I have considered the submissions made by the learned counsel for the petitioner and perused the materials available on record.

4. It is seen that the learned Judge has categorically held that the petitioner having appeared before the Court on 17.03.2022, failed to file



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a counter in spite of repeated times being granted and was set *ex parte* on 07.04.2023. Thereafter, the *ex parte* order came to be passed only on 25.09.2023. The petitioner did not take any steps and only on receipt of the summons in the Execution Petition, the petitioner has filed the application seeking to condone the delay.

5. A perusal of the affidavit also do not indicate any valid reasons expect for a bald averments that the petitioner was not able to walk, which is also not supported by any medical records.

6. For the aforesaid reasons, this Court do not find any infirmity in the order impugned in this revision. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

26.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The I Additional District Munsif, Nagercoil.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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K.KUMARESH BABU,J.

SN

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