



WEB COPY



C.R.P.No.569 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2026

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.R.P.No.569 of 2026
and
C.M.P.No.3111 of 2026

K.Asokan

... Petitioner

Vs.

P.Parasuraman

... Respondent

Prayer : Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the order made in I.A.No.1 of 2023 in O.S.No.227 of 2014 dated 13.10.2025 on the file of the District Munsif Polur.

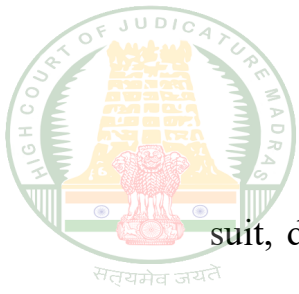
For Petitioner : Mr.R.Malaichamy

For Respondent : Set exparte

ORDER

This Civil Revision Petition has been filed challenging the impugned order, dated 13.10.2025 passed by the District Munsif Court, Polur in I.A.No.1 of 2023 in O.S.No.227 of 2014.

2. Under the impugned order, the application filed by the petitioner seeking to set aside the exparte order passed against him in the



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suit, dated 05.11.2014, has been dismissed with a cost of Rs.500/-. The

petitioner is the defendant in the suit and the respondent is the plaintiff.

The suit was filed for declaration and permanent injunction by the respondent against the petitioner. The petitioner was set exparte by the trial court on 05.11.2014. Therefore, the petitioner had filed an interlocutory application in I.A.No.1 of 2023 in O.S.No.227 of 2014 seeking to set aside the exparte order, dated 05.11.2014. The reasons given by the petitioner in the said IA is that due to a nervous disorder, he was unable to contest the suit in O.S.No.227 of 2014 earlier. Even though in the impugned order, the trial court has taken note of the said fact, the trial court had dismissed the said IA on the grounds that the petitioner was aware of the suit proceedings, since he was present along with his counsel on 12.12.2015 when the Advocate Commissioner appointed by the trial court had visited the suit premises. It is also represented by the learned counsel for the petitioner that the suit remains pending on the file of the trial court.

3. Notice in this revision has also been served on the respondent through the counsel on record, who is appearing for the respondent before the trial court. The name of the respondent is also printed in the cause list



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today. Till date, no one has entered appearance on behalf of the respondent. Hence, the respondent is set exparte in this revision.

4. Being a suit for declaration and permanent injunction and since sufficient cause has been shown by the petitioner for setting aside the exparte order, dated 05.11.2024 passed by the trial court, this Court is of the considered that this revision has to be allowed by this Court.

5. Accordingly, this Civil Revision Petition is allowed and the impugned order, dated 13.10.2025 passed by the District Munsif Court, Polur in I.A.No.1 of 2023 in O.S.No.227 of 2014 is set aside. The trial court is directed to dispose of the suit in O.S.No.227 of 2014 as expeditiously as possible, after framing issues, after giving due consideration to the written statement filed by the petitioner along with I.A.No.1 of 2023 and after conducting the trial. No costs. Consequently, the connected miscellaneous petition is closed.

18.06.2026

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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ABDUL QUDDHOSE, J.

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To

The District Munsif Court, Polur.

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