



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 5285 of 2025

Ramayee
W/o.Muthusamy,
Vellalapatti Main Road,
Karuppur Town, Omalur Taluk,
Salem District

..Petitioner(s)

Vs

1. Vasanthakumar
S/o.Srinivasan,
res at Thattanchavadi Pallam, Vellalapatti Main
Road, Karuppur Town, Omalur Taluk, Salem
District.
2. Srinivasan
S/o.Ramagounder,
res at Thattanchavadi Pallam, Vellalapatti Main
Road, Karuppur Town, Omalur Taluk, salem
District
3. Bagiam
W/o.Srinivasan,
res at Thattanchavadi Pallam, Vellalapatti Main
Road, Karuppur Town, Omalur Taluk, salem
District

..Respondent(s)

PRAYER

Civil Revision Petition filed under Sec.115 of C.P.C., praying to set aside the fair and decretal order passed in IA No.1 of 2022 in OS No.28 of 2014 dated 11.06.2024 on the file of the District Munsif at Omalur.



For Petitioner(s): Mr.Munuraj G

For Respondent(s): No Appearance

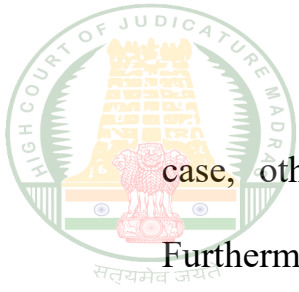
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ORDER

Challenging the impugned order passed in I.A.No.1 of 2022 in O.S.No.28 of 2014 by the learned District Munsif Court, Omalur, the Revision Petitioner/Plaintiff had preferred this Civil Revision Petition.

2. Before the trial court, he filed the suit in O.S.No.28 of 2014 seeking for the relief of declaration and permanent injunction. Due to his absence, the suit was dismissed for non-prosecution. Hence, he filed an application to restore the suit, but there is a delay of 1728 days arose in filing the said application. Therefore, he filed application in I.A.No.1 of 2022 and the same was dismissed stating that no proper reason was assigned. Aggrieved over that findings, this Civil Revision Petition has been preferred.

3. Admittedly, the respondents/defendants remained exparte. However, on seeing the contentions made by the Revision Petitioner, she prayed to condone the delay of 1728 days, but she has not produced any medical proof that she was under treatment. Admittedly, she is 72 year age old lady and she filed the suit in the year 2014 in O.S.No.28 of 2014 seeking for the relief of declaration and other consequential relief in respect of suit property. Considering the fact that she is a senior citizen, one more opportunity is to be given to her to contest the



case, otherwise, her valuable right to defend the case will be defeated.

Furthermore, despite service of notice, none appeared on behalf of respondents.

Therefore, this Court is inclined to set aside the findings rendered in I.A.No. 1 of 2022 in O.S.No.28 of 2024 by the District Munsif Court, Omalur and the said application is ordered to be allowed. Accordingly, this Civil Revision Petition is allowed. No costs.

12-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The District Munsif Court, Omalur.



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T.V.THAMILSELVI J.

RPP

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