



C.R.P. (MD) No. 417 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2026

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

C.R.P. (MD) No. 417 of 2023

and

C.M.P. (MD) No. 2047 of 2023

K.Shobha

... Petitioner/
Plaintiff

-VS-

J.Neethipathi

... Respondent/
Defendant

Prayer:- Petition filed under Article 227 of the Constitution of India, has been preferred to set aside the fair and decretal order made in I.A. No. 304 of 2024 in O.S. No. 31 of 2019 on the file of Principal Subordinate Judge, Tanjore dated 10.08.2022, by allowing this revision petition.

For Petitioner : Mr.T.Antony Arul Raj

For Respondent : No Appearance

ORDER

This Civil Revision Petition invoking under Article 227 of the Constitution of India has been preferred against the Order dated 10.08.2022



C.R.P. (MD) No. 417 of 2023

made in O.S. No. 31 of 2019 on the file of the Principal Subordinate Court, Thanjavur (hereinafter referred to as the 'Trial Court' for short).

2. The parties are hereinafter referred to as by the description in the suit in O.S. No. 31 of 2019 before the Trial Court for the sake of clarity and convenience.

3. Heard Mr.T.Antony Arul Raj, Learned Counsel for the First Defendant and perused the materials placed on record apart from the pleadings of the parties.

4. Though the civil revision petition has challenged the order granting leave to defend the suit under Rule 3 of Order XXXVII of the Code of Civil Procedure, 1908 (hereinafter referred to as the 'CPC' for short) on the ground that the procedure of serving notice of appearance has not been followed before entertaining the application, Learned Counsel for the Plaintiff submits that it would suffice if the Written Statement has been filed, the trial of the suit may be expeditiously disposed of.



C.R.P. (MD) No. 417 of 2023

5. Having regard to the aforesaid submission made, it shall be ensured by the Trial Court that there is atleast one effective hearing in every month showing progress of the case and quarterly reports in that regard shall be sent to the Registrar (Judicial) of the Court till final orders are passed in the case.

In fine, the Civil Revision Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

20.01.2026

Index : Yes/No
NCC : Yes/No
mm

To

1. The Principal Subordinate Court, Thanjavur.
2. The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.
3. The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.R.P. (MD) No. 417 of 2023

N.SENTHILKUMAR, J.

mm

C.R.P. (MD) No. 417 of 2023

20.01.2026