

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,

TIRUVALLUR

**Present:- Thiru. J. Selvanadhan, B.Sc., B.L.,
Principal District and Sessions Judge,
Tiruvallur.**

Wednesday, the 18th day of September 2019

I.A.No. 2/2019 in O.S. No.374 / 2018

1. Mr. Y.M. Nazir Ahmed, S/o. Y.M.Mohamed yassin, Muslim, aged about 61 years, residing at Flat No.226, Alsa Towns Villie, 38/170, Plot No.226, Arcot Road, Valasaravakkam, Chennai-87.
2. Mr. A.Syed Ibrahim Shah, S/o. Abdul Gaffoor, Muslim, aged about 54 years, residing at No.1/116, Kamaliya Street, Burkit Ma Nagar, Palaynkottai, Thirunelveli.

..... Petitioner/ Plaintiffs

//Versus//

1. Mrs. E.Mary W/o. Late Ethiraj, Hindu, aged about 71 years,
2. Mrs. S.Chinna Ponnu, W/o.Shanker, Hindu, aged about 55 years
3. Mr. E.Ravi, S/o. Late Ethiraj, Hindu, aged about 51 years
4. Mrs. D.Jothi, W/o.Doss, Hindu, aged about 48 years
5. Mrs. Uma, W/o. Late E.Ramesh, Hindu, aged about 40 years
6. Mrs, K.Renuka Devi, E/o. Late E.Ramesh Hindu, aged about 22 years
7. Mr. R.Mohan, S/o. Late E.Ramesh, Hindu, aged about 21 years
8. Minor R.Deepak S/o. Late E.Ramesh, Hindu, aged about 15 years, (Rep. by mother and Natural Guardian Tmt. Uma, 5th Plaintiff)
9. Mr. E. Shanker S/o. Late Ethiraj, Hindu, aged about 1 and 9 All residing at No.2/24, Anandam Nagar, Ramapuram, Chennai – 89,

...Respondents/ Defendants

This petition is filed by the Petitioner under order 9 Rule 7 of CPC praying to set aside the exparte order passed against the 8th defendant in O.S. 374/2018 on 14.03.2019.

This petition presented before this court on 22.04.2019

Court fee of Rs. 20/- is paid on the petition.

This I.A. coming on 14.8.2019 for final hearing before me in the presence of Mr. R.Narayanan, Advocate for the petitioner and M/s N.R.Sreedharan Babu, V.S.Jayachitra, J.Rajasurendra Advocates for the respondent and upon hearing the argument of both side and upon perusing the available records, and having stood over for consideration till this day, and this court delivering the order as follows:-

DECREETAL ORDER

1. that the petition filed by the first petitioner on behalf of the 2nd petitioner is dismissed.
2. that the liberty is given to the 2nd petitioner to file the similar application in future if he is interested after explaining the reasons for non appearance.

SCHEDULE OF PROPERTY

NIL

SCHEDULE OF COST

Petitioner Costs		Respondent Costs
Stamp on Petition	Rs. 20.00	--
Vakalat	Rs. 10.00	--
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Total	Rs. 30.00	--
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(cost memo not filed on either side, hence other costs not taxed).

Given under my hand and seal of the court this the 18th day of September 2019.

**Sd/-J.Selvanadhan,
PRINCIPAL DISTRICT JUDGE,
TIRUVALLUR.**