



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twenty Fourth day of March Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice C.SARAVANAN

C.R.P. (MD) No.807 of 2023

and

C.M.P. (MD) No.3698 of 2023

C. JOHN JUSTIN

... REVISION PETITIONER/
PETITIONER/DEFENDANT

Vs

KRISHNAVAGA BENEFIT FUND LIMITED,,
REPRESENTED BY ITS MANAGING DIRECTOR,
A. KOLAPPA PILLAI,
S/O. ANANCHU PILLAI,
OFFICE AT PARTHASARATHY ALAYAVAGAM,
MAIN ROAD, THUCKALAY AND POST,
MIDALAM VILLAGE,
VILAVANCODE TALUK,
KANYAKUMARI DISTRICT.

... RESPONDENT/RESPONDENT/
PLAINTIFF

Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the fair and decreetal order dated 19-09-2022 passed in I.A. No. 3 of 2021 in O.S. No. 175 of 2018 on the file of the Principal District Judge, Kanyakumari at Nagercoil and thereby allow the Civil Revision Petition and thus render justice.

Prayer in CMP(MD). 3698/ 2023 :

To grant an order of Stay of all further proceedings in O.S. No. 175 of 2018 on the file of the Principal District Judge, Kanyakumari at Nagercoil pending disposal of the above Civil Revision Petition and thus render justice.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S R.NANDAKUMAR, Advocate for the petitioner, the court made the following order:-

Notice to the respondent through Court as well as privately returnable in four weeks.



2.Considering the fact that the suit itself was dismissed on 02.04.2019 and restored on 18.10.2019, the Court ought to have disposed of the petitioner's application for condoning the delay in filing the application to set aside the order setting the petitioner as ex-parte on 02.01.2019. Therefore, there shall be an order of interim stay of all further proceedings in O.S.No.175 of 2018 on the file of the learned Principal District Judge, Kanyakumari at Nagercoil for a period of four weeks.

sd/-
24/03/2023

/ TRUE COPY /

/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MYR

TO

THE Principal District Judge, Kanyakumari at Nagercoil.

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-5007[I] dated 28/03/2023)

ORDER
IN
C.R.P. (MD) No.807 of 2023
and
C.M.P. (MD) No.3698 of 2023
Date :24/03/2023

RK/BUC/SAR-3 (30/03/2023) 2P/3C