



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty Third day of March Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CMP(MD) No.2496 of 2017

IN

CRP(MD) No.1454 of 2015

RAMASAMY

... PETITIONER/PETITIONER

Vs

1 KALEESWARAN

2 JOHN KENNEDY

... RESPONDENTS/RESPONDENTS

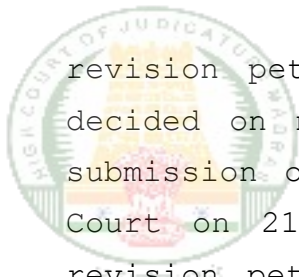
Civil Miscellaneous Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased To set aside the order of dismissal for default passed by this Honourable Court on 21/02/2017 and restore the above CRP(MD) 1454/2017 on the file of this Honourable Court.

Prayer in CRP(MD). 1454/ 2015 :Civil Revision Petition filed Under Section 115 of the Code of Civil Procedure, to set aside the order dated 22.04.2015 passed in EA.No.328/2008 in EP.No.5/2006 in O.S.No.102/2002 on the file of the Subordinate Judge, Srivilliputhur.

ORDER : This Miscellaneous petition coming on for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.BAALASUNDHARAM, Advocate for the petitioner and of MR. K. SUDALAIYANDI, Advocate for the 1st Respondent, and of MR. A. ARUMUGAM, Advocate on behalf of the 2nd Respondent the court made the following order:-

Notice served on the respondent. Since the Revision Petition was dismissed for non-prosecution on 21.02.2017, it appears that the decree holder is pressurising for execution of the decree.

2.The Learned Counsel for the revision petitioner submitted that in compliance with the direction of this Court, already a sum of Rs.5 lakhs has been deposited in E.P. account and he is ready to deposit another 1 lakh immediately and therefore, his petition may be allowed and the



revision petition may be restored to file and matter may be heard and decided on merits. This Court finds that there is genuineness in the submission of the revision petitioner. Hence, the order passed by this Court on 21.02.2017, is set aside and C.R.P. is restored to file the revision petitioner is directed to deposit Rs.1 lakh, to the credit of E.P. account on or before 28.03.2017.

3. Post the revision petition for final disposal on 07.04.2017.

sd/-

ASST REGISTRAR (RECORDS)

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE SRIVILLIPUTHUR

COPY TO: 1. THE SECTION OFFICER, JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2. THE SECTION OFFICER, V.R. SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

1. C.C. to M/S.K.BAALASUNDHARAM Advocate SR.No.17410

Date :23/03/2017

POST ON 07/04/2017

ORDER

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IN
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