



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Sixteenth day of February Two Thousand and Eighteen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.7993 of 2017
in
CRP(MD)No.874 of 2008

1 R.PADMAVATHI
2 R.SUBHA

... PETITIONERS/PETITIONERS

Vs

P.SAHADEVAN

... RESPONDENT/RESPONDENT

Prayer in CMP(MD) No.7993 of 2017:

This Petition filed under Section 151 of Civil Procedure Code, praying to restore the Case in CRP(MD)No.874/2008 on the file of this Hon'ble Court which was dismissed for default for non prosecution by order dated 09.01.2017 in CRP(MD)No.874 of 2008.

Prayer in MP(MD)No.1 of 2015 in CRP(MD)No.874 of 2008

This Petition filed under Section 151 of CPC praying this Court to issue certified copy of the Grounds in CRP(MD)No.874 of 2008.

Prayer in CRP(MD)No.874 of 2008:

This Petition filed under Section 115 of CPC praying this Court as against the Judgment and Decree dated 05.02.2008 in I.A.No.101 of 2004 in O.S.No.1051 of 2000 on the file of the Principal District Judge, Madurai.

ORDER : This Petition coming on for hearing on this day upon perusing the petition and affidavit, and material papers of this petition and upon hearing the arguments of Mr.V.MURUGAN, Advocate for the petitioner, this Court made the following order:-

This Civil Miscellaneous Petition has been filed to restore the case in C.R.P.(MD)No.874 of 2008, which was dismissed for default for non-prosecution on 09.01.2017.

2. When the matter is taken up for hearing today, it is represented by the learned Counsel for the petitioner that on 09.01.2017, M.P.(MD)No.1 of 2015 in C.R.P.(MD)No.874 of 2008 was dismissed for non-prosecution and the main civil revision petition in C.R.P.(MD)No.874 of 2008 is still pending. By oversight, the present civil miscellaneous petition has been filed and he prays to close the same, as not pressed. He would further submit that the



sole respondent in the civil revision petition died and for taking steps, he seeks time.

3. Perusal of records would show that on 09.01.2017 this Court has dismissed M.P.(MD)No.1 of 2015 for non-prosecution and not C.R.P.(MD)No.874 of 2008. Therefore, the present civil miscellaneous petition itself is not warranted and the same is accordingly closed.

4. Registry is directed to post the main Civil Revision Petition in C.R.P.(MD)No.874 of 2008 on **23.02.2018**, for taking steps.

Sd/-
Assistant Registrar ()

/True Copy/

Sub Assistant Registrar

TO

THE PRINCIPAL DISTRICT JUDGE,
MADURAI.

COPY TO:-

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATED : 16.02.2018
HEARING DATE : 23.02.2018

ORDER

CMP(MD) No.7993 of 2017 IN
CRP(MD)No.874 of 2008

Giving directions etc., as
stated within.

TE/SV-MMS/SAR-2 : 21/02/2018 : 2P/3C