



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (NPD) (MD) .No.1396 of 2018

and

C.M.P. (MD) No.5996 of 2018

C.Raja

... Petitioner

Vs.

R.Rajeswari

... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the impugned returned order passed in I.A.No.58 of 2017 in H.M.O.P.No.369 of 2014 dated 16.11.2017 on the file of the 2nd Additional Subordinate Judge, Madurai.

For petitioner : S.Chandrasekaran

For Respondent : Mr.K.Sekar

O R D E R

This Civil Revision petition is directed against the dismissal of I.A.No.58 of 2017 filed by the revision petitioner herein.

2. When the matter is taken up for hearing, the counsel appearing for the respondent submitted that the H.M.O.P.No.369 of 2014 on the file of the II Additional Subordinate Judge, Madurai, filed by the revision petitioner, has itself been dismissed for default. It is true that an application, for restoration of the same, has already been filed. The fact remains that as on date, the H.M.O.P.No.369 of 2014 is not pending.

3. Therefore, the revision petitioner is at liberty to file restoration application in this Civil Revision Petition, after the H.M.O.P., is revived.

4. Accordingly, this Civil Revision Petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Writs)



To:

The II Additional Subordinate Judge,
Madurai.

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+ 1 CC TO Mr.S.CHANDRASEKARAN, ADVOCATE IN SR No. 78980

PNN

DS/KAK/SAR-2 : 04/09/2018 : 2P/3C

ORDER MADE IN
C.R.P. (NPD) (MD) .No.1396 of 2018 and
C.M.P. (MD) No.5996 of 2018
13.08.2018