



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

Friday, the Twelfth day of October Two Thousand and Eighteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP (MD) No.9579 of 2018

IN

CMA (MD) No.953 of 2014

HAJI A.MOHAMED MUSTAFA

... PETITIONER/PETITIONER/RESPONDENT

Vs

M.NATARAJAN

... RESPONDENT/RESPONDENT/APPELLANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 116 days in restoring the CMP (MD)No.10936 of 2016 on the file of this Honble Court which was dismissed for default on 24.03.2017 and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMA(MD). 953/ 2014 :

To set aside the judgment and decree of the Lower Appellate court dated 26.06.2014 made in A.S. No. 12/2014 on the file of the Additional Subordinate Judge, Tirunelveli in reversing the judgment and decree dated 24.10.2013 made in O.S. No. 364/2011 on the file of the II Additional District Munsif court, Tirunelveli and remanding the suit for fresh arguments and to allow the CMA.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.SP.MAHARAJAN, Advocate for the Appellant and of the petitioner not appeared either in person or by an Advocate, the court made the following order:-

There was no representation for the petitioner on 11.10.2018. Today also, there is no representation for the petitioner.

Accordingly, this petition is dismissed for non-prosecution.

sd/-

12/10/2018

/ TRUE COPY /



TO

1. THE ADDITIONAL SUBORDINATE JUDGE,
TIRUNELVELI.

2. THE II ADDITIONAL DISTRICT MUNSIF,
TIRUNELVELI.

WEB COPY

ORDER

IN

CMP (MD) No.9579 of 2018

IN

CMA (MD) No.953 of 2014

Date :12/10/2018

RAM/VR MMS/SAR 2/25.10.2018/2P/3C