



WEB COPY



CMP.15478 of 2021 in
CRP.No.11 of 2021

R.SUBRAMANIAN,J

This petition has been filed seeking permission to convert the above civil revision petition into a civil miscellaneous appeal.

2. The order challenged in the above civil revision petition is one made on 13.9.2019 in I.A.No.1 of 2019 in A.S.No.17 of 2018 on the file of the Third Additional District Court, Salem, which is an application seeking restoration of the appeal that was dismissed for default under Order XLI Rule 19 of the Civil Procedure Code.

3. Under Order XLIII Rule 1(t) of the Code, an order dismissing an application under Rule 19 of Order XLI of the Code is made specifically appealable. Realizing the mistake, this petition has been filed seeking conversion.

4. I have heard Ms.J.Prithivi, learned counsel for the petitioner and Ms.Zeenath Begum, learned counsel appearing for the first respondent.

5. Accepting the reasons assigned in the affidavit in support of this petition and in the interest of justice, this petition is allowed.

This revision petition is converted into a civil miscellaneous appeal. Registry is directed to number revision as a civil miscellaneous appeal and post the same on 22.11.2021.