



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Twentieth day of June Two Thousand Twenty Two

PRESENT

THE HON'BLE MRS.JUSTICE J.NISHA BANU

CMP.No.19879 of 2021

IN CRP(NPD)No.2369 of 2018

A.MANIVANNAN

[PETITIONER]

Vs

THENMOZHI

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased To condone delay of 22 days in filing restore petition to set aside the order passed in CRP(NPD)No.2369 of 2018 which was dismissed for non-prosecution on 05.03.2021 and restore the same on file (in CMP.No.19879 of 2021).

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.C.PRAKASAM, Advocate for the petitioner and of Respondent not appearing either in person or by an advocate, the court made the following order:-

The Civil Miscellaneous Petition has been filed, to condone the delay of 22 days in filing the restoration petition, to restore the C.R.P. (NPD) No.2369 of 2018, which was dismissed for non-prosecution on 05.03.2021.

2.The Civil Revision Petition has been filed to set aside the docket order dated 24.07.2018 passed in E.P.No.21 of 2017 in O.S.No.122 of 2001 on the file of the Sub Court, Kallakurichi, Villupuram District. When the matter was listed before this Court on 05.03.2021, details of dates on which the matter has been listed and the manner in which the learned counsel for the petitioner sought adjournment were recorded and the case was dismissed for non-prosecution.

3.Now, the petitioner has come up with the petition to restore the Civil Revision Petition.



4. On perusal of case records, it is seen that on 11.01.2021, 22.01.2021, 12.02.2021 and 16.02.2021 the case was listed and on all those occasions, either the learned counsel for the petitioner is not present or when the learned counsel for the petitioner was present, the case was adjourned at his request. Therefore, this Court recording the same dismissed the Civil Revision Petition for non-prosecution. I do not find any reason to entertain the petition filed to condone the delay of 22 days in filing the restoration petition. Accordingly, this Civil Miscellaneous Petition stands dismissed.

-sd/-

20/06/2022

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

THE SUBORDINATE JUDGE,
KALLAKURICHI, VILLUPURAM DISTRICT.

Order

in

CMP.No.19879 of 2021

IN CRP(NPD)No.2369 of 2018

Date :20/06/2022

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