



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Eighth day of March Two Thousand
and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMP(MD)No.2927 of 2021

in

CRP(MD)No.122 of 2021

N.Ramasamy ... Petitioner/Petitioner

Vs

R.Manohar ... Respondent/Respondent

Prayer in CMP(MD)No.2927 of 2021 :- Civil Miscellaneous Petition filed under Order 9 Rule 9 and Section 151 of C.P.C., to restore the Civil Revision Petition in CRP(MD)No.122 of 2021 on the file of the this Honble Madras High Court, Madurai Bench, which was dismissed for default on 10.03.2021.

Prayer in CRP(MD)No.122 of 2021:- Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, against the fair and decreetal order passed by RCA.No.13 of 2019 on the file of Rent Control Appellate Authority (Principal Subordinate Judge), Tirunelveli, dated 28.07.2020 reversing the fair and decreetal order passed in RCOP.No.17 of 2016 on the file of the Principal Rent Controller (Principal District Munsif Court), Tirunelveli, dated 03.07.2019.

ORDER:- This Civil Revision Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.Suresh Manickam, Advocate for the Petitioner and of Mr.T.S.R.Venkataramana, Advocate for the Respondent, this Court made the following order:- This Civil Miscellaneous Petition has been filed to restore the Civil Revision Petition in C.R.P(MD)No.122 of 2021.

2.Heard the learned counsel for the petitioner and Mr.T.S.R.Venkataramana, learned counsel for the respondent.

3.The reasons stated by the learned counsel for the petitioner in this petition is that due to network failure he could not make his appearance in Video Conference when the matter was called. Then he made his submission at 1.30 p.m. along with the respondent counsel and the matter was posted on 16.03.2021 'for reporting

<https://hcservices.eports.gov.in/hcservices/>



verified the Registry, he came to know that this case was 'dismissed for default'. He failed to appear only due to network failure and the petitioner has filed a petition within time, so this Court is inclined to give one more opportunity to the petitioner.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is ordered.

5. Registry is directed to restore the petition and print the name of Mr. T. S. R. Venkataramana, learned counsel for the respondent.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

TO

1. The Principal Subordinate Judge,
Rent Control Appellate Authority,
Tirunelveli.

2. The Principal District Munsif,
Principal Rent Controller,
Tirunelveli.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 08/03/2022

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ORDER

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CMP (MD) No. 2927 of 2021

in

CRP (MD) NO. 122 of 2021

Giving direction and etc.
as stated within.

KB (24.03.2022) 2P 4C