



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Civil Appellate Jurisdiction )

Thursday, the Twenty Second day of June Two Thousand and Twenty Three

PRESENT

**The Hon`ble Mrs.Justice L. VICTORIA GOWRI**

CMP(MD) No.6034 of 2023

IN

CRP NPD(MD) No.973 of 2005

1 V. RAMADOSS,

2 CHANDRA

... 1 & 2 Petitioners / 1 & 2 Petitioners

3 MANIMEKALAI

(DIED ON 17-07-2012)

... 3<sup>rd</sup> Petitioner

4 MAKESH

... 4<sup>th</sup> Petitioner / Proposed 4<sup>th</sup> Petitioner

Vs

JEBAMALAI

... Respondent / Respondent

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to order to set aside the order dated 23.12.2016 passed in C.R.P. (NPD) (MD). No. 973 of 2005 and RESTORE the Civil Revision Petition in C.R.P.(NPD). (MD). No. 973 of 2005 on file and may be taken up for fresh disposal on merits and thus render justice.

PRAYER IN CRP NPD(MD) No.973 of 2005:

This Civil Revision Petition is filed under section 115 of CPC, against the order and decreetal order dated 19/04/2005 passed in I.A.No.53 of 2005 in O.S.No.126 of 2003 on the file of the Additional District Munsif, Pudukkottai by dismissing the petition filed under section 5 of Limitation Act to condone the delay of 25 days in filing petition under order 9 Rule 13 to set aside the exparte decree dated 22/09/2004.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.P.GANAPATHI SUBRAMANIAN, Advocate for the petitioner, and this court made the following order:-



This petition is filed to set aside the order dated 23.12.2016 passed in C.R.P(MD)No.973 of 2005 and restore the same.

2. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the order dated 23.12.2016 is set aside and the Civil Revision Petition stands restored.

3.The Registry is directed to carry out the necessary amendment and post the matter on 07.07.2023.

Sd/-

Assistant Registrar(RTI)

// True Copy //

05/07/2023

Sub Assistant Registrar(CS)

TO

THE SECTION OFFICER,  
JUDICIAL SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:  
THE ADDITIONAL DISTRICT MUNSIF, PUDUKOTTAI.

ORDER DATED : 22/06/2023

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ORDER

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CMP(MD) No.6034 of 2023  
IN  
CRP NPD(MD) No.973 of 2005

Giving direction and etc.  
as stated within.

CM  
MK/05.07.2023 2P 3C