



CMP(MD) No.1332 of 2018

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

Friday, the Twenty First day of July Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY
CMP(MD) No.1332 of 2018

IN
REV.APLC(MD) No.SR17465 of 2014

K.RAMALINGAM PILLAI

... PETITIONER/PETITIONER
/PETITIONER/RESPONDENT

Vs

D.PRAKASH RATHINAM

... RESPONDENT/RESPONDENT
/RESPONDENT/APPELLANT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 124 days in filing the restore petition in M.P.No.1 of 2015 in Review Appl(MD) SR.No.17465 of 2014 Against SA(MD) No.744 of 2008 by setting aside the order of dismissal for default on 31.08.2017.

Prayer in REV.APLC(MD).SR.17465/2014 :

To review its common judgment and order dated 29.01.2014 passed by his Lordship R.Karupiah in S.A.No.744 of 2008 and S.A.No.70 of 2009 on the file of this Hon'ble court against the common judgment and Decree A.S.Nos.4 & 30 of 2005 on the file of the learned Second Additional Sub-Court, Nagercoil, dated 25.01.2006 against the judgment and decree in O.S.No.142 of 2001 on the file of the learned First Additional District Munsif Court, Nagercoil, dated 15.10.2004, consequently affirm the common judgment A.S.No.4 of 2005 and 30 of 2005 on the file of the learned Second Additional Sub-Court, Nagercoil, dated 25.01.2006.

Prayer in SA(MD). 744/ 2008 :

To allow the second appeal against the Judgment and the decree in A.S.No.4 of 2005 dated 25/01/2006 on the file of Second Additional Sub Court, Kanyakumari District, Nagercoil in O.S.NO.142 of 2001 dated 15/10/2004 on the file of First Additional Munsif Court, Kanyakumari District, Nagercoil.



CMP(MD) No.1332 of 2018

Prayer in SA(MD). 70/ 2009 :

To allow the Second Appeal against the Judgment and the decree in AS.30 of 2005 dated 25.01.2006 on the file of the Second Additional Sub Court, Kanyakumari District Nagercoil, Judgment & Decree in OS.142 of 2001 dated 15.10.2004 on the file of the First Additional District Munsif Court, Kanyakumari District, Nagercoil.

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.R.MURUGAN, Advocate for the petitioner, the court made the following order:-

Learned counsel for the petitioner seeks permission of this court to withdraw the application and he has also made an endorsement to that effect.

In view of the endorsement made by the learned counsel for the petitioner, this petition is dismissed as withdrawn.

sd/-

21/07/2023

/ TRUE COPY /

/07/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

am

TO

1 THE II ADDITIONAL SUBORDINATE JUDGE, NAGERCOIL.

2 THE I ADDITIONAL DISTRICT MUNSIF, NAGERCOIL.

COPY TO

THE SUB ASSISTANT REGISTRAR, A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC TO MR.R.MURUGAN, ADVOCATE, SR-35008[F]

ORDER IN

CMP(MD) No.1332 of 2018 IN

REV.APLC(MD) No.SR17465 of 2014

Date :21/07/2023

RS/DD/SAR-(24.07.2023) 2P 5C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023

<https://www.mhc.tn.gov.in/judis>