



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

Wednesday, the Fifteenth day of February Two Thousand and Twenty
Three

PRESENT

The Hon`ble Mrs.Justice N.MALA

CMP(MD) No.11981 of 2018

IN

AS No.150 of 2001

MR.V.AYYALUSAMY,

... PETITIONER/APPELLANT

Vs

BABU RAJENDRAN,

... RESPONDENT/RESPONDENT

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 2076 days in filing petition for restoration of appeal in A.S.No.150 of 2001, which was dismissed for non-prosecution on 16.10.2012.

PRAYER IN AS(MD)No.150 of 2001:

To prefer this Memorandum of Regular Appeal to this Hon'ble Court against the judgment and decree dtd 25.06.2001 made in O.S.No.31 of 1998 on the file of the Subordinate Judge, Kovilpatti, Thoothukudi District.

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.B.RAJESH SARAVANAN, Advocate for the petitioner and of MR.M.P.SENTHIL, Advocate on behalf of the Respondent, the court made the following order:-

As per the order passed by this Court, dated 06.02.2023 the petitioner has paid a sum of Rs.10,000/- to the respondent and he has also filed a cost memo to that effect and the same is recorded.

2. The petitioner is permitted to withdraw this petition with liberty to file a fresh petition to restore MP(MD).No.1 of 2013 in A.S.No. 150 of 2001.



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CMP(MD) A



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3. Accordingly, this petition is dismissed as withdrawn
sd/-

15/02/2023

/ TRUE COPY /

/02/2023

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

TRP
TO

THE SUBORDINATE JUDGE
KOVILPATTI, THOOTHUKUDI

ORDER
IN
CMP (MD) No.11981 of 2018
IN
AS No.150 of 2001
Date :15/02/2023

PKP/SBN/SAR-2/21.02.2023/2P/2C