



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

Wednesday, the Eighth day of March Two Thousand and Twenty Three

PRESENT

WEB COPY

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) Nos.10138 & 10140 of 2022

IN

AS(MD) Nos.187 & 188 of 2021

V.JOSEPH PANNEERSELVAM

... PETITIONER/APPELLANT

in both the cases

Vs

ANANSI

... RESPONDENT/RESPONDENT

in CMP(MD)No.10138 of 2022

1 ALPHONSE

2 VETHAM JESINTHA RANI

3 ANANSI

4 LOURDU DIVYA

... RESPONDENTS/RESPONDENTS

in CMP(MD)No.10140 of 2022

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 18 days in filing the restoration petition in A.S. (MD). No. 187 of 2021 on the file of this Honourable court.

Prayer in CMP(MD). 10140/ 2022 :

To condone the delay of 18 days in filing the restoration petition in A.S. (MD). No. 188 of 2021 on the file of this Honourable Court and pass any other appropriate order which may deem fit and proper in the nature and circumstances of the case herein.

Prayer in AS(MD). 187/ 2021 :

Pleased to set aside Decree and judgment made in OS No.35 of 2008 on the file of 2nd Additional District Judge, Trichy, dated 31.01.2020, by allowing this first appeal.

Prayer in AS(MD). 188/ 2021 :

Pleased to set aside Decree and judgment made in OS No.157 of 2008 on the file of 2nd Additional District Judge, Trichy, dated 31.01.2020, by allowing this first appeal.

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.SUNDAR, Advocate for the petitioner, the Court made the following order:-



This Court during the earlier hearing on 14.02.2023 has passed the following order:-

"This Court vide order dated 07.02.2023 has observed that inspite of several adjournments, the petitioner's counsel is not ready with the case and therefore, at his request, the matter was posted today at 02.15 p.m., specifically. Even today, the petitioner's counsel is not present.

Post on 20.02.2023 under the caption 'for dismissal'. "

2.Despite the matter was posted under the caption 'for dismissal' on 20.02.2023, an adjournment was sought on the said date and hence, the matter was directed to be listed today (i.e., 08.03.2023)

3.Even today when the matter is called, none appeared on behalf of the petitioner.

4.Therefore, these Petitions are dismissed for non-prosecution.

sd/-

08/03/2023

/ TRUE COPY /

/03/2023

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

TO

THE II ADDITIONAL DISTRICT JUDGE, TRICHY.

+2. C.C. to M/S.R.SUNDAR Advocate SR.No.3876, 3877

ORDER

IN

CMP(MD) Nos.10138 & 10140 of 2022

IN

AS(MD) Nos.187 & 188 of 2021

Date :08/03/2023

SS/CG/SAR II/13/03/2023/2P/4C