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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Twenty Seventh day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD). No.15896 of 2023
in
CRP(MD)No.989 of 2021

P. Murugesan

... Petitioner/Petitioner

Vs

M. Nainar Mohammed

... Respondent/Respondent

Prayer :-

Civil Miscellaneous Petition filed Under order 9 Rule 9 of CPC to restore the CRP(MD). No.989/2021 by setting aside the order Dt.08/08/2023 and thus render justice.

Prayer in CRP(MD). 989/ 2021 :

Civil Revision Petition filed Under Section 115 of the Code of Civil Procedure, to set aside the fair order and executable order dated 03.03.2021, made in I.A.No.01/2020 in unnumbered A.S.No.--/2020 on the file of the Principal District

Judge, Theni.

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



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ORDER:- This 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.Saravanakumar, Advocate for the Petitioner and of Mr. A.Arumugam, Advocate for the respondent, this Court made the following order:

The Civil Miscellaneous Petition has been filed seeking orders to restore the C.R.P.(MD)No.989 of 2021, which was dismissed for default on 08.08.2023.

2. Heard the learned counsel for the petitioner as well as the learned counsel for the respondent.

3.Considering the reasons assigned and also taking note of the fact that the petition to condone the delay has already been allowed, this Court is inclined to allow the petition.

4.Accordingly, the Civil Miscellaneous Petition is allowed. The Registry is directed to restore the revision and post the matter on 04.12.2023.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)



TO
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1. The Principal District Judge,
Theni.
2. The Section Officer,
Judicial Section,
Madurai Bench Of Madras High Court,
Madurai.

ORDER DATED : 27/11/2023

Post on : 04/12/2023

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ORDER

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CMP(MD). No.15896 of 2023

in

CRP(MD)No.989 of 2021

Giving direction and etc.

as stated within.

MGJ(30.11.2023) 3P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023