



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Third day of January Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD). No.11554 of 2022
in
CRP(MD).No. 2165 of 2022

1 M.Raja

2. C.Selvakumar

... Petitioners/ Petitioners

Vs

1 K.P.P.Athiyarajan

2 P.Athignanakumaran

... Respondents/Respondents

Prayer in CMP(MD). No.11554 of 2022:-

This Civil Miscellaneous Petition filed under Order 9 Rule 9 of C.P.C., praying this Court, to set aside the order and to restore the CRP(MD).No. 2165 of 2022, which was dismissed for non-prosecution on 18-11-2022 and take the above civil revision petition on its file.

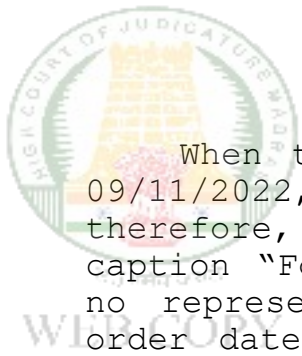
Prayer in CRP(MD).No. 2165 of 2022:-

Civil Revision Petition filed under Article 227 of Constitution of India, Praying this Court to call for the records pertaining to the order in I.A.No. 7/2022 in O.S.No. 204/2018 passed by the Learned Additional District Munsif Court, Thirumangalam and set aside the same.

ORDER:-

This Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. K.Jegannathan, Advocate for the Petitioner and of Mr.D.Senthil, Advocate for the respondents, this Court made the following order:

This petition is filed to set aside the order dated 18/11/2022 and restore the Civil Revision petition.



When the Civil Revision petition was taken up for hearing on 09/11/2022, there was no representation for the petitioner and therefore, the Registry was directed to list the matter under the caption "For Dismissal" on 18/11/2022. Even on that day, there was no representation for the petitioner. Therefore, this Court, by order dated 18/11/2022, dismissed the Civil Revision petition for default. To restore the same, the present petition is filed.

Though this Court has not ordered any notice in the Civil Revision petition, in order to provide one opportunity to the petitioner, this Petition is allowed.

Sd/-

Assistant Registrar ()

// True Copy //

03/01/2023

Sub Assistant Registrar(CS)

To

The Additional District Munsif,
Thirumangalam.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 03/01/2023

=====
ORDER
=====

CMP(MD) . No.11554 of 2022
in
CRP(MD).No. 2165 of 2022

Giving direction and etc.
as stated within.

SS/03/01/2023/ 2P 3C