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C.M.P.Nos.24067 and 24069 of 2024  
in  
S.A.Nos.577 and 575 of 2016

**N.SENTHILKUMAR, J.**

These Civil Miscellaneous Petitions are filed for restoration.

2. The reasons stated in the accompanying affidavit for non appearance on behalf of the petitioner on the particular date i.e., 09.03.2023 is accepted. Therefore, the Second Appeals are Dismissed for non prosecution. Hence, these Civil Miscellaneous Petitions are allowed.

3. The learned counsel for the respondent has filed an counter affidavit contending that the Court has no jurisdiction to entertain the application which was dismissed for non prosecution. The further contention is that the appeals were not disposed of on merits, but it is only dismissed for non prosecution. Hence, the counter affidavit filed by the respondent is rejected.

4. Accordingly, the Civil Miscellaneous Petitions are allowed.

**28.10.2024**

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**N.SENTHILKUMAR,J.**

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