



**A.No.5067 of 2024 in
T.O.S No.40 of 2023
A.A.NAKKIRAN, J.**

This application has been filed by the applicant/plaintiff to restore the dismissal order dated 16.08.2024 made in T.O.S No.40 of 2023 on the file of this Court.

2. Heard both side.

3. The learned counsel for the 1st respondents/1st defendant strongly opposed stating that this Court ordered the plaintiff to let in evidence in the Master Court to prove his case, but he did not let in any evidence and thereby disobeyed the order of this Court.

4. Considering the facts and circumstances of the case and in order to give one more opportunity to the plaintiff, this Court is inclined to allow this application.

5. Accordingly, this application is allowed.

23.10.2024

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Note: List the matter before the Additional Master-IV for recording evidence on 06.11.2024