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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Nineteenth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD). No.2114 of 2024

in

CRP(MD)No.858 of 2018

1.TTC.Cheran

2.Gopalakrishnan

3.Sivarajan

4.Chellamani

... Petitioners/Petitioners/Petitioners

Vs

S.Chella

... Respondent/Respondent/Respondent

Prayer in CMP(MD). No.2114 of 2024

Civil Miscellaneous Petition filed under section 5 of Limitation Act to condone the delay of 529 days in filing the application for restoration of C.R.P.(MD). No.858/2018 on the file of this Hon`ble Court and thus render justice.

Prayer in CRP(MD) No.858 of 2018:

Civil Revision Petition is filed under Article 227 of the Constitution of India praying this court to call for the records relating to the fair and decreetal order dated 07.03.2018 passed in I.A No.42 of 2018 in O.S. No.47 of 2017 on the file of the District Munsif, Lalgudi.



ORDER:- This Civil Miscellaneous 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.R.Sundar Srinivasan, Advocate for the Petitioner and of Mr.J.Jeyakumaran, Advocate for the Sole Respondent, this Court made the following order:

This Civil Miscellaneous Petition has been filed to condone the delay in filing the petition for restoring the civil revision petition.

2. C.R.P.(MD)No.858 of 2018 was filed questioning the order appointing an advocate commissioner. The said CRP was closed as infructuous on the ground that the suit itself had been dismissed for default. Subsequently, the suit was restored. Therefore, the defendant wants to restore CRP also. In the process, there has been some delay. I wanted to know the stage of the suit. It is posted 'for argument'. The suit itself is one for bare injunction. Therefore, heavens will not fall and the petitioner will not suffer any serious prejudice, if this CMP is dismissed. C.M.P. (MD)No.2114 of 2024 is dismissed.

Sd/-

Assistant Registrar(CO)

// True Copy //

/09/2024

Sub Assistant Registrar
(CS - I/ II / III /IV)



TO

The District Munsif,
Lalgudi.

ORDER DATED : 19/08/2024

ORDER

CMP(MD). No.2114 of 2024
in
CRP(MD)No.858 of 2018
Giving direction and etc.
as stated within.

MK/05.09.2024 3P 2C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023