



CMP(MD). No.5507 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

**Monday, the Fifteenth day of July Two Thousand and Twenty Four
PRESENT**

The Hon`ble Mr.Justice G.ILANGO VAN

CMP(MD). No.5507 of 2024

in

TR CMP(MD)5 of 2024

S.Maniprabhu ... Petitioner/Respondent

Vs

S.Ranjitha ... Respondent/Petitioner

Prayer in CMP(MD). No.5507 of 2024

Civil Miscellaneous Petition filed under order 41 Rule 21 of CPC to Re hear the order in Tr CMP(MD). No.5 of 2024 dted 12.02.2024 passed by this Honourable Court and pass such further or other orders as this Honourable Court may deem fit and proper in the nature and circumstances of the case and thus render justice.

Prayer in TR CMP(MD). 5 of 2024 :

Transfer Civil Miscellaneous Petition filed under section 24 of CPC, to withdraw H.M.O.P. No. 261 of 2023 on the file of Sub Court, Uthamapalayam, Theni District and Transfer the same to the file of the Sub Court, Sankarankovil, Tenkasi



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District and pass any such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

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.J.Bharathan, Advocate for Mr.K.Guhan, Advocate, for the Petitioner and of Mr.F.X.Eugene, Advocate, for the Respondent, this Court made the following order:

“This petition has been filed by the respondent in Tr.C.M.P.(MD).No.5 of 2024, to re-hear the above said matter, on the ground that on the date of hearing itself he has filed his vakalath before the Registry. But, that was not brought to the notice of this Court at the time of hearing. Since the name of the respondent was printed in the cause list, the matter was disposed of without his presence.

2.The respondent herein, who is the petitioner in the above said matter made his objections. However, since the mistake was committed on the part of the Court, apparently, it would be appropriate to permit the petitioner herein to make his submissions.

3.On that ground, this petition stands **allowed** and the order passed in Tr.C.M.P.(MD).No.5 of 2024, dated 12.02.2024, is hereby **Recalled**.



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4. Since I have lost the above said Roster, Registry is directed to list the above said matter before the concerned Roster Bench for fresh hearing and disposal."

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/07/2024

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

SRR

TO

1. The Subordinate Judge,
Uthamapalayam, Theni District.

2. The Subordinate Judge,
Sankarankovil, Tenkasi, District.

Copy to:

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

ORDER DATED : 15/07/2024

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ORDER

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CMP(MD). No.5507 of 2024

in

Tr CMP(MD) No.5 of 2024

SI(25.07.2024) 3P/ 4C

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

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