



C.R.P.(MD) No.640 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2024

CORAM

**THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

**C.R.P.(MD) No.640 of 2022**

and

**C.M.P.(MD) No.2617 of 2022**

A.Desika Sankar  
S/o.K.Athiveera Ramapandian

... Petitioner

Vs.

Dr.P.Sudhakar  
S/o.Packiaseelan

... Respondent

**Prayer:** Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decreetal order made in I.A.No.5 of 2021 in O.S.No.166 of 2016 on the file of the I Additional District Munsif Court, Nagercoil, Kanyakumari District, dated 20.11.2021.

For Petitioner : Mr.C.Sankar Prakash

For Respondent : Mr.G.Anto Prince

### **ORDER**

The learned counsel for the petitioner and the learned counsel for the respondent are present.



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2. It is informed that the above suit in O.S.No.166 of 2016 was dismissed for default on 26.04.2024, and a restoration petition has been filed and is now pending adjudication before the trial court.

3. Accordingly, at this stage, the present Civil Revision Petition challenging the order dated 20.11.2021 passed in I.A.No.5 of 2021 in O.S.No.166 of 2016 is not maintainable. Therefore, this Civil Revision Petition is dismissed. Liberty is, however, granted to the revision petitioner to file a petition for restoration of this Civil Revision Petition in the event the suit is restored to the file. No costs. Consequently, the connected Miscellaneous Petition is closed.

11.11.2024

Index: Yes/ No  
Neutral Citation: Yes / No  
Speaking Order/Non-Speaking Order

JEN

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The I Additional District Munsif,  
Nagercoil,  
Kanyakumari District.



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**K.GOVINDARAJAN THILAKAVADI, J.**

JEN

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