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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Eighth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD). No.6866 of 2024

in

CRP(MD)No.370 of 2023

M.K. Muthukumaran,

... Petitioner/Petitioner

Vs

S. Muthupandi,

... Respondent/Respondent

Prayer :-

Civil Miscellaneous Petition filed Under Section 41 Rule 21 of CPC.,to Recall the order made by this Court in CRP(MD). No. 370 of 2023 dated 15.02.2023 .

Prayer in CRP(MD). 370/ 2023 :

Civil Revision Petition filed under Article 227 of Constitution of India, to direct the Learned VI Additional District Court, Madurai to expedite the disposal of the Execution Petition NO.86 of 2022 in O.S.No. 298 of 2018 and pass such further or other orders as this Court .

ORDER:- This 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. P.Murugesan, Advocate for the Petitioner and of Mr. C.Mayilvahana Rajendran, Government Advocate for the respondent, this Court made the following order:



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This Civil Miscellaneous Petition has been filed to recall the order passed by this Court in C.R.P(MD)No.370 of 2023, dated 15.02.2023 on the ground that, the revision petition was allowed in the admission stage.

2. With a similar prayer, the same petitioner had filed C.M.P(MD)No.1051 of 2024 to condone the delay in filing review application in Rev.Aplc(MD)SR.No.82120 of 2023. This Court after hearing the review applicant, had dismissed the condone delay application and has further found that there are no merits in the review application. In such circumstances, the question of recalling the order of this Court made in C.R.P(MD)No.370 of 2023, dated 15.02.2023 does not arise. Hence, this Civil Miscellaneous Petition stands dismissed.

Sd/-

Assistant Registrar(CS I)

// True Copy //

/09/2024

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

TO

The VI Additional District Judge,
Madurai.



Copy to:

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

ORDER DATED : 08/07/2024

ORDER

CMP(MD). No.6866 of 2024
in
CRP(MD)No.370 of 2023
Giving direction and etc.
as stated within.

MK/06.09.2024 3P 3C

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