



WEB COPY

CMP No. 19871 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CMP No. 19871 of 2025

AND

CRP NO. 2472 OF 2024

Viswanathan,
S/o.Thirumoorthy Chettiar,
No.231 Hanumanthapuram,
Dharapuram Town and Taluk,
Tirupur District.

Appellant(s)

Vs

Sakthivel,
S/o.Ramaswamy Gounder,
Mettu Valasu Post, Ganapathipalayam
Dharapuram Taluk, Tirupur District.

Respondent(s)

For Appellant(s): Mr.R.Rajaramani

For Respondent(s): Mr.D.Lakshmipathy



ORDER

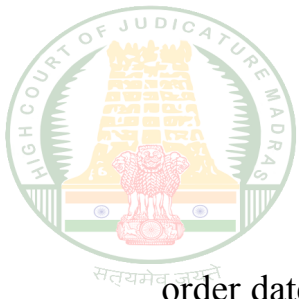
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This Civil Miscellaneous Petition has been filed for restoring the revision by setting aside the order of dismissal dated 15.11.2024.

2. Heard Mr.R.Rajaramani, learned counsel for the petitioner as well as Mr.D.Lakshmipathy, learned counsel for the respondent.

3. The learned counsel for the petitioner submitted that the plaintiff in O.S.No.185 of 2017, has filed a memo seeking permission to withdraw the suit. Based on the said memo, the petitioner had chosen to withdraw the above civil revision petition.

4. However, it appears that subsequent to the withdrawal of the above civil revision petition, the respondent has not proceeded to withdraw the suit as promised and this has necessitated the petitioner to file the present restoration petition. It is seen that the petition for condonation of delay has already been ordered.



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5. I find that there is merit in submissions made for setting aside the order dated 15.11.2024, permitting withdrawal of the civil revision petition and thus now the above civil revision petition has to be heard on merits, after affording an opportunity to the respondent as well.

6. In the light of the above, this Civil Miscellaneous Petition is allowed.

Post this matter on 18.08.2025 under the caption "For arguments".

13-08-2025

jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

District Munsif Court, Dharapuram.



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P.B.BALAJI J.
jd

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