



C.M.P.No.13196 of 2022 & Rev.A.SR.No.81197 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

C.M.P.No.13196 of 2022

&

Rev.A.SR.No.81197 of 2022

Arun Prasath.A.
S/o Mr.Aruugam

...Petitioner/Applicant

Vs.

Thenmozhi.V.
D/o Mr.Velu

...Respondent/Respondent

C.M.P.No.13196 of 2022

Civil Miscellaneous Petition filed under Section 5 of Limitation Act

to condone the delay of 120 days in filing the review application.

Rev.Application SR.No.81197 of 2022

Review Application filed under Order 47 Rule 1 r/w Section 114 of

C.P.C. to review the order passed in CMP.No.19158 of 2021 in

CMSA.No.39/2014 dated 25.02.2022.

For Petitioner/Appellant : Mr.P.K.Harinath Babu



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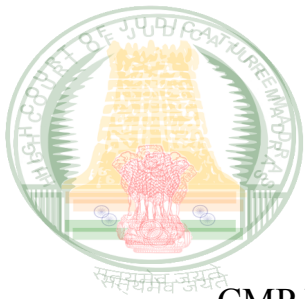
ORDER

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The above Civil Miscellaneous Petition has been filed to condone the delay of 120 days in filing the review application. The Review Application has been filed to review the order passed in CMP.No.19158 of 2021 in CMSA.No.39/2014 dated 25.02.2022.

2. CMP.No.19158/2021 was filed to restore C.M.P.No.10080/2021 which was dismissed on 26.08.2021. The said CMP.No.10080/2021 was filed to restore the CMSA.No.39 of 2014 which was dismissed for non-prosecution.

3. When the matter was taken up for hearing on 03.10.2018, this Court dismissed the C.M.S.A.No.39 of 2014 stating that the appellant did not appear on 10.08.2018, 31.08.2018, 01.10.018 and 03.10.2018 and therefore, the Appeal was dismissed for non-prosecution. Thereafter, restoration application in CMP.No.10080 of 2021 was filed and when the restoration application was taken up for hearing, none appeared for the petitioner. Thereafter, the matter was posted under the caption 'for dismissal' on 26.08.2021. When the matter was called on 26.08.2021, none appeared for the petitioner. Therefore, the restoration application in



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CMP.No.10080 of 2021 was also dismissed. Subsequently, CMP.No.19158 of 2021 was filed. When the said CMP was taken up for hearing, the learned counsel representing on behalf of the petitioner submitted that he had come by way of change of Vakalat. Since this Court was not inclined to entertain the application, dismissed the said CMP.19158 of 2021 on 25.02.2022.

4. Now, the appellant has filed a review application to review the order dated 25.02.2022 passed in CMP.No.19158/2021 along with an application to condone the delay in filing the review application. The manner in which the case has been conducted by the petitioner/applicant is not appreciable. Therefore, this Court is not inclined to entertain this petition. Accordingly, the condone delay petition in C.M.P.No.13196 of 2022 is dismissed. Consequently, Review Application in Rev.A.SR.No.81197 of 2022 is rejected at the SR stage itself. No costs.

Index : Yes / No
Internet : Yes
vsi

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J. NISHA BANU, J.

vsi

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