



Sub Application (OS) No.707 of 2025
in Cont.P.No.448 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Sub Application (OS) No.707 of 2025
in Cont.P.No.448 of 2025

R.Sennimalai Gounder (Deceased) through Lrs
1.Ganesh

.. Applicant / Petitioner

Vs.

Gandhimathi

.. Respondent/Respondent

PRAYER: Sub Application filed under Section 151 of CPC to reopen the Cont.P.No.448 of 2025 which was closed on 29.04.2025 on merits after affording due opportunity to both parties.

For the Petitioner : Mr.M.Yogesh Kanna

For the Respondent : Mr.K.Suresh
Government Advocate

ORDER

This Sub Application is filed on behalf of the petitioner in the Contempt Petition.



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WEB COPY 2. It is submitted that on 29.04.2025, when this Hon'ble Court closed the Contempt Petition, an order dated 16.04.2025 was produced. The Contempt Petition was closed immediately thereafter, without affording the petitioner an opportunity to address the merits of the case. Further, the matter was also taken out of turn during the mentioning by the respondents.

3. Today, the learned counsel appearing on behalf of the petitioner further demonstrates, how the order dated 16.04.2025 would not amount to compliance of the order.

4. Thus, considering the over all facts and circumstances of the case and I also distinctly remember that upon producing the order dated 16.04.2025 by the learned counsel for the respondent, the Contempt Petition being closed, I am of the view that an opportunity be granted to the learned counsel for the petitioner.

5. The learned counsel for the respondent is present today and would submit that the order dated 16.04.2025 would amount to compliance of the



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6. This may be an argument in the main Contempt Petition. Thus, I am of the considered view that the order of this Court dated 29.04.2025 in the Cont.P.No.448 of 2025 has to be recalled and accordingly, the order dated 29.04.2025 stands recalled. The Sub Application stands ordered accordingly.

7. Post the Contempt Petition for arguments on 07.07.2025.

30.06.2025

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D.BHARATHA CHAKRAVARTHY, J.

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