



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CMP NO. 27914 of 2024

S.Prabakaran
S/O.Late.Srinivasan,No.4/4,2nd Cross Muniswamyappa
Road,Pns Layout, Subbanapalya,Maruthi Sevanagar,
Bangalore-33

Appellant(s)

Vs

Thiru.A.R.Govardhan
S/O.P.C.Balakrishnan,189,Habibullah Road,T.Nagar,Chennai-
17

Respondent(s)

PRAYER:

This petition has been filed to set aside the order of dismissal for default in CRP No.3262 of 2017 dated 03.09.2021 and to restore the above Civil Revision Petition.

For Appellant(s):

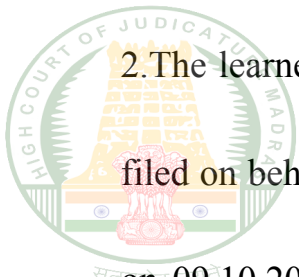
M/s.C.Prabakaran

For Respondent(s):

Mr.S.Hariharan For
Mr.D.Rajagopal

ORDER

This petition has been filed to set aside the order of dismissal for default in CRP No.3262 of 2017 dated 03.09.2021 and to restore the above Civil Revision Petition.



2.The learned counsel for the petitioner would submit that a change of vakalat

filed on behalf of the petitioner on 03.08.2017. Subsequently, an interim order was passed

on 09.10.2017 and the order copy was also issued in the name of Mr.K.Elangovan and

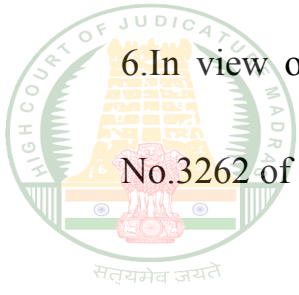
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Mr.C.Prabakaran, Advocates for the petitioner.

3.However, when the matter was listed before this Court on 01.09.2021 and 03.09.2021, the names of the erstwhile counsels were shown in the cause list and thereby, the counsel for the petitioner were unable to appear before this Court and hence, this Petition came to be dismissed for default on 03.09.2021. However, since the petitioner is not aware of the dismissal, there was a delay.

4.The learned counsel for the respondent would object for restoration of above Civil Revision Petition.

5.Heard the learned counsel on either side and perused the materials available on record including the cause list dated 01.09.2021 and 03.09.2021. As per the cause list, the names of the erstwhile counsels, namely A.Rajesh Kannan and B.Sundara Pandian have been printed on the above said dates and as rightly submitted by the learned counsel for the petitioner that he could not pursue the matter, which led to the dismissal of the Revision for default. Hence, the order of dated 03.09.2021 is liable to be set aside.



6.In view of the above, the order of dismissal dated 03.09.2021 is set aside



No.3262 of 2017 is restored to file.

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02-04-2025

dn

1. Thiru.A.R.Govardhan
S/o.P.C.Balakrishnan, 189, Habibullah
Road, T.Nagar, Chennai-17

2.The I Additional Judge, City Civil Court,
Chennai.