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C.R.P.(PD)No.5117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.01.2025**

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P.(PD)No.5117 of 2024
and C.M.P.No.28707 of 2024

Kaliyamoorthy

.. Petitioner

Vs

1.Natarajan

2.Mangayarkarisi

.. Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the order dated 27.11.2023 passed in I.A.No.3 of 2023 in O.S.No.36 of 2023 on the file of the Additional District Munsif Court at Jayankondam.

For Petitioner : Mr.O.R.Mahesvaren

ORDER

This civil revision petition seeks to revise an order passed by the learned Additional District Munsif at Jayankondam in I.A.No.3 of 2023 in O.S.No.36 of 2023 dated 27.11.2023.



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V. LAKSHMINARAYANAN,J.

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2. A perusal of the papers shows that I.A.No.3 of 2023 was dismissed for default on 27.11.2023. When a proceeding is dismissed for default for non appearance of the parties, it cannot be a subject matter of a revision. Being an interlocutory application, in a pending suit, seeking for appointment of an Advocate Commissioner, it is always open to the petitioner to file a fresh petition or to seek for restoration of the petition dismissed for default. Leaving open both the options to the petitioner, the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

02.01.2025

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

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To

The Additional District Munsif Court at Jayankondam.

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and C.M.P.No.28707 of 2024