



WEB COPY



CMP NO. 28546 of 2024
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CMP No. 28546 of 2024 in CMA.No.2712 of 2024

RAJASEKAR

S/o Alagar, Door No.1/151, UCO Bank opposite,
Bharathiyar Theru, Somarasam Peettai, Trichy
620102

Appellant(s)

Vs

Kalaiyarasi

W/o Rajasekar, Door No.17, Periya Theru,
Ariyalur JKM Road, Ariyalur 621704

Respondent(s)

For Appellant(s): Mr.D.Yogeswaran

For Respondent(s):

ORDER

(The order of the Court was made by J.Nisha Banu,J.)

The above petition has been filed to set aside the order passed by this Court on 08.11.2024 in CMA.No.2712 of 2024 which was dismissed for non-prosecution on 08.11.2024.

2. It is seen from the records that when the matter came up for hearing on 21.10.2024, the learned counsel for the appellant was not present and the matter was directed to be listed on 22.10.2024 'for dismissal'. In the course of the day, the learned counsel came up and requested to remove the

<https://www.mhc.tn.gov.in/judis> caption 'for dismissal' and considering the same, the case was posted on



WEB COPY



-2-

J.NISHA BANU,J.

and

R.SAKTHIVEL,J.

vsi

07.11.2024. On 07.11.2024, again, the learned counsel for the appellant was not present and the case was directed to be posted on 08.11.2024 'for dismissal'.

3. On 08.11.2024, the learned counsel for the appellant did not appear. Therefore, this Court dismissed the matter for non-prosecution.

4. Now, this restoration petition is filed seeking to set aside the order dated 08.11.2024 passed by this Court in the above said CMA.No.2712 of 2024 which was dismissed for non-prosecution.

5. Taking into consideration that the matter is a matrimonial dispute, this restoration petition is ordered and the matter be posted for final disposal on 23.01.2025. If on that date, the appellant does not argue the matter, the case will be dismissed for non-prosecution.

Post the main CMA for disposal on 23.01.2025.

(J.N.B.,J.) (R.S.V.,J.)

09-01-2025

vsi

CMP No. 28546 of 2024

in CMA.No.2712 of 2024