



CRP(MD). No.1273 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28/10/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.1273 of 2025

and

CMP (MD)Nos.6681 and 12164 of 2025

Ramalingam

... Petitioner

Vs

Sethuraman

... Respondent

PRAYER :-

Civil Revision Petition filed under Article 227 of the Constitution of India to pass an order to allow this Revision and setting aside the order passed by the Principal Sub Court, Tenkasi in I.A.No.1/2022 in O.S.No.154/2018.

For Petitioner : Mr. R.Ramasamy,
Advocate

For Respondent : Mr.A.Sheik Nasurdeen

ORDER

The challenge in the Civil Revision Petition is to an order condoning the delay in re-presentation that had arisen in filing of an interlocutory application for restoring the suit. The order that has been impugned order was passed on 31.10.2022, thereafter, by an order in I.A.No.2 of 2022 dated 13.12.2022, the suit itself has been restored. In the said restored suit, the petitioner herein had



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taken out two applications ie., I.A.No.3 of 2023, seeking to stay the proceedings in the original suit, since he had filed an application before this Court, challenging the orders made in I.A.Nos.1 and 2 of 2022 and I.A.No.4 of 2024 which had been filed to set aside the *ex parte* order passed against him.

2. It is to be noted that I.A.No.3 of 2023 had been dismissed by the Court on 19.06.2024. I.A.No.4 of 2025 had been allowed, setting aside the *ex parte* order passed against him on 21.09.2024. The petitioner had admitted in his affidavit that the I.A.No.2 of 2022 which had been filed to restore the suit, had been ordered on payment of cost and since the plaintiff had refused to accept the amount, the same was deposited before the Court and therefore, the order passed in I.A.No.1 of 2022 no longer survives, as the suit itself had been restored and the petitioner had been contesting matter.

3. In view of the above reasons, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

28.10.2025

NCC : yes / no
Index : yes / no
Internet : yes / no

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To
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- 1.The Principal Subordinate Judge, Tenkasi.
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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K.KUMARESH BABU, J.

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