



CMP(MD). No.9564 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

Thursday, the Seventeenth day of July Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CMP(MD). No.9564 of 2024

in

C.R.P.(MD)S.R.No.70197/2023

M.Murugesan

... Petitioner/Petitioner

Vs

1 Lakshmanan

2 Naagarathinam @pappal

3 Chandra

4 Ramesh

... Respondents/Respondents

Prayer in C.M.P(MD)No.9564/2024

The petition is filed u/s 5 of Limitation Act to condone the delay of 51 days in filing to set aside the order made in unnumbered C.R.P.(MD)S.R.No.70194 of 2023 dated 18.04.2024 dismissed for non-prosecution.

Prayer in C.R.P.(MD)S.R No.70197/2023:-

The petition filed under article 227 of Constitution of India, to set aside the judgment and decree made in O.S.No. 212/2017, dated 28/03/2018 on the file of the District Munsif Court, Kulithalai.



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ORDER:- This Petition coming on for orders on this day and upon perusing the
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petition and the affidavit filed in support thereof and upon hearing the arguments of
Thiru.I Velpradeep, Advocate for the Petitioner this Court made the following order:
The learned counsel appearing for the petitioner seeks permission of this Court to
withdraw the C.M.P(MD)No.9564 of 2024 and he has also made an endorsement to
that effect.

2. In view of the above, C.M.P(MD)No.9564 of 2024 is dismissed as
withdrawn. Consequently, connected C.R.P(MD)SR.No.70197 of 2023 is closed.
Liberty is granted to the petitioner to file a third party appeal before the trial Court.
On filing such appeal, the court concerned shall exclude the period of limitation
pending before this Court.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/ /2025

Sub Assistant Registrar
(CS – I / II / III / IV)



CMP(MD). No.9564 of 2024

TO
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- 1.District Munsif Judge, Kulithalai.
- 2.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/s. I. VELPRADEEP (SR-43796[F] dated 17/07/2025)



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ORDER DATED : 17/07/2025

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ORDER
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CMP(MD). No.9564 of 2024
in
C.R.P.(MD)S.R.No.70197/2023

Giving direction and etc.
as stated within.

SB/07.08.2025 4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023