



CMP(MD). No.14819 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24/09/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CMP(MD). No.14819 of 2025
in C.R.P.(MD)No.2188 of 2025

P.Murugesan ... Petitioner

Vs.

M.Nainar Mohammed ... Respondent

PRAYER: This Petition is filed to restore the C.R.P.(NPD) (MD) No. 2188 of 2025 which was dismissed on 06.08.2025.

For Petitioner : Mr.A.Saravanan,
Advocate.

ORDER

This Petition is filed to restore the C.R.P.(NPD) (MD) No. 2188 of 2025 which was dismissed on 06.08.2025.

2. The learned counsel appearing for the petitioner would submit that the earlier counsel on record had withdrawn the Civil Revision Petition, without the knowledge of the petitioner and that he is ready and



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willing to amicably settle the entire issue in question, which is the subject matter of the petition and intends to retain the same. Therefore, he would pray this Court to restore the Civil Revision Petition.

3. I have considered the claim of the petitioner.

4. The Civil Revision Petition had been dismissed as withdrawn, based on the endorsement made by the learned counsel on record, who had appeared for the petitioner therein. He now seeks to restore the said revision, which had been withdrawn on the basis of the endorsement, contending that the counsel on record had withdrawn the petition, without his knowledge.

4. A perusal of the affidavit filed in support of the present petition does not disclose that any action has been initiated against the earlier counsel on record. It is further to be noted that pursuant to the decree passed, a petition had been filed and the petitioner had already approached this Court by way of Civil Revision Petitions challenging the interlocutory stages and his present request is for restoration of the Civil



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Revision Petition. Though he is entitled to settle the issue, it only indicates that the petitioner wants to protract the issue with an ulterior motive of depriving the benefits of the decree passed in favour of the decree holder.

5. In such view of the matter, this Court finds no *bonafides* in the application filed by the petitioner and accordingly, this Civil Miscellaneous Petition is dismissed. No costs.

24.09.2025

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TO

The Subordinate Judge,
Uthamapalayam.



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K.KUMARESH BABU,J.

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