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CMP(MD) No.



025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-03-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR. JUSTICE P.DHANABAL

CMP(MD) NO. 13049 of 2025 in CMA(MD) SR NO. 42496 OF 2024

and CMP(MD) No.8519/2025 in CMA(MD) SR NO. 42496 OF 2024

1. Highcourt Raja
S/o.Paramasivam
Door No.12 Bharthiyar Puram
Melapalayam
Palayamkottai Taluk
Tirunelveli District.

Petitioner(s)

Vs

1. Thangam
D/o.Selvaraj
Door No.11/2 Babji Nagar Colony
Tirunelveli Junction
Tirunelveli District.

Respondent(s)

For Petitioner(s): Mr.K.Navaneetharaja

Prayer:To restore the order passed by this Court on 19.08.2024 dismissed for default in C.M.P.(MD) No.8519 of 2024 in C.M.A.(MD) S.R.No.42496 of 2024.

ORDER

(Order of the Court was made by N.Anand Venkatesh J.)

This petition has been filed to restore the CMP(MD) No.8519/2024 in CMA(MD) No. 42496/2024.



2. Heard the learned counsel for the petitioner.

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3. This Court, while ordering notice in the condone delay petition in CMP(MD) No. 8519/2024 imposed a condition that the petitioner shall deposit the entire maintenance arrears within a time frame. However, since there was no compliance on the side of the petitioner, the petition came to be dismissed for default on 19.08.2024.

4. The learned counsel brought to our notice the order passed in the family Court, Tirunelveli, wherein, it is seen that the petitioner has paid a total sum of Rs.42,000/- to the respondent, who is the wife and the same has also been acknowledged by the respondent.

5. The learned counsel for the petitioner further submitted that the maintenance is being paid every month without fail till date.

6. Considering the facts and circumstances of the case, this petition is allowed and CMP(MD) No.8519 of 2024 stands restored. Consequently, CMP(MD) No.8519 of 2024 stands allowed. Registry to number the appeal, if it is otherwise in order.

(N.ANAND VENKATESH J.) (P.DHANABAL J.)

02-03-2026

RR