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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Twenty Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CMP(MD). No.3633 of 2024
in
CRP(MD).No.674 of 2015

A.Augustian,

... Petitioner/ Petitioner

Vs

- 1 B.Mohammed Abubackar(Died)
2. M/s. Sriram and Co.,
Registered Partnership Firm,
Through One of its Partner
C.Durairaj,
3. Najeema Begam,
W/o.Late. B. Mohammed Abubackar,
- 4 Amrith Begam,
D/o..Late. B. Mohammed Abubackar,
- 5 Ahamed Birnas
S/o..Late. B. Mohammed Abubackar,

... Respondents/Respondents



Prayer :-

Civil Miscellaneous Petition is filed under order Rule 9 of Civil Procedure Code to set aside the order dated 09.02.2024 passed by this Honourable Court in C.R.P. (MD) No 674 of 2015 , which was dismissed for delayed payment of the batta and restore the above CRP on file.

Prayer in CRP(MD).674/ 2015 :

This Revision Petition filed under section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 23.02.2015 passed in E.A.No.862 of 2008 in E.P.No.46 of 2005 in O.S.No.649 of 2001 on the file of the I Additional Sub judge, Madurai.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. RV.Rajkumar, Advocate for the Petitioner, this Court made the following order:

“The above application has been filed to set aside the order dated 09.02.2024 in C.R.P.(MD).No.674 of 2015, which was ordered to be dismissed for delayed payment of the batta and restore the above Civil Revision Petition.

2. Even though notice was served and the respondents' 3 to 5 name were printed, there is no representation on the side of the respondents.



2. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is ordered and the Registry is directed to restore the Civil Revision Petition on file."

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/04/2024

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

TO

1. The I Additional Sub judge,
Madurai.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.



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ORDER DATED : 28/03/2024

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ORDER

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CMP(MD). No.3633 of 2024
in
CRP(MD).No.674 of 2015

Giving direction and etc.
as stated within.

RE (30.04.2024) 4P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.