

I.A.No.5/2024  
in  
O.S.No.57/2021

D.D.18.02.2025:

Order Pronounced.

This petition has been filed to restore the suit which was dismissed for default on 08.07.2024. The reason alleged for non prosecuting the case diligently which lead to dismissal is that the petitioner was affected with viral fever and was bed ridden and thereby he was not able to approach her Counsel to give proper instruction.

2. Though the respondents have filed counter and denied the allegation made in the petition and while arguing the matter, the Counsel for the respondents stated that the petition may be allowed on terms. In view of submission made by the respondent and with a view to give an opportunity to the petitioner to contest the case on merits, this Court considers that this petition can be allowed on terms.

3. In the result, this petition is allowed and the petitioner is directed to pay a sum of Rs.1,000/- to the respondents on or before 24.02.2025. Failing which the petition shall be dismissed. Call on 25.02.2025.

Principal District Judge,  
Perambalur.

