



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Seventh day of July Two Thousand and Twenty Three

WEB COPY

PRESENT
The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) . No.8102 of 2023
in
CROS.OBJ NO.68 OF 1999

R. Saratha Ammal (Died) ... Cross.Objector/1st Respondent

R. Rajkumar

... Petitioner/Proposed Appellant / Legal heir of the
Sole Cross Objector

Vs

1 A. Rajammal

2 Thoothukudi Municipality
Through its Commissioner
W.O.C.Road Tuticorin

... Respondents/Respondents/Respondents

Prayer in CMP(MD) . No.8102 of 2023

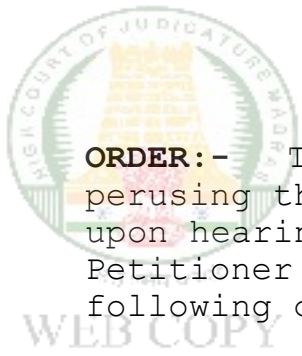
petition files u/s order 41 rule 19 of CPC to set aside the order of dismissal for default of the Cross Objection No.68 of 1999 dated 12/03/2021 on the file of this Honourable court and restore the same and thus render justice.

Prayer in Cross.Objection No.68 of 1999:

CROSS.Objection filed under order XVI Rule 22 c.p.c against the decree and judgment dated 05.07.1996 made in AS No.403 of 1994, on the file of the Principal District Judge, Tuticorin, preferred against the judgment and decree in O.S.No.639 of 1988 dated 26.03.1992 on the file of the learned Additional District Munsif, Tuticorin.

PRAYER IN SA No.1399 of 1997

This Second Appeal is filed under Section 100 of the Code of Civil Procedure, 1908 praying to set aside the Judgment and Decree dated 05.07.1996 made in A.S.No.403 of 1994 on the file of the Principal District Judge, Tuticorin preferred against the Judgment and Decree in O.S. No.639 of 1988 dated 26/03/1992 on the file of the learned Additional District Munsif, Tuticorin.



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 Mr.G.Prabhu Rajadurai Advocate for the Petitioner and of Mrs.P.Jessi Jeeva Priya for R2 this Court made the following order:

" Heard both sides.

This Petition is ordered and the CroS.OBJ No.68 /99 is restored on file.

List on 10/07/2023 on the same camption".

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

TO

- 1.The Principal District Judge,
Tuticorin.
- 2.The Additional District Munsif,
Tuticorin.

Copy to:

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

ORDER DATED : 07/07/2023

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ORDER

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CMP(MD) . No.8102 of 2023

in

Cros.obj No.68 of 1999

SI (07.07.2023) 2P/ 4C