



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Tenth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

CMP (MD) No.1643 of 2016
IN
SA (MD) No.828 of 2008

M.KARUPPAIAH,

... PETITIONER/APPELLANT

Vs

1 DR.VALLIAPPAN,
2 MR.M.NATARAJAN,

... RESPONDENTS/RESPONDENTS

Application under Order 41 and Rule 19 of Civil Procedure code this Petition praying this Court to set-aside the Judgement made in S.A.(MD)No.828 of 2008 dated 26.10.2009 on the file of this Honourable Court and there by restore the second appeal.

Prayer in SA(MD). 828/ 2008 :

To set aside the Decree and Judgment dated 25.07.2007 passed in AS.98/2003 by the Additional District Judge, (Fast Track Court), Pudukkottai confirming the decree and Judgment dated 26.12.2002 passed in OS.64/1997 on the file of the Sub Judge, Pudukkottai in respect of A and C of the schedule mentioned properties by allowing the Second Appeal and grant such other reliefs.

ORDER : This Application coming on for hearing upon perusing the Application and the Judgment and Decree of the Lower and upon hearing the arguments of MR.PALA.RAMASAMY, Advocate for the petitioner, and of MR.N.BALAKRISHNAN Advocate for the Respondents, this Court made the following order :-

Having satisfied with the reasons stated in the affidavit filed in support of the petition, CMP(MD) No.1643/2016 is allowed.

sd/-

Assistant Registrar (AE)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)



TO

1 THE ADDITIONAL DISTRICT JUDGE,
(FAST TRACK COURT) PUDUKKOTTAI

2 THE SUBORDINATE JUDGE, PUDUKKOTTAI

COPY TO : THE RECORD KEEPER,
VERNACULAR RECORDS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

GJM/AAL/MPA/SAR-I-25.4.16-2P-4C

ORDER DATED : 10/03/2016
ORDER
IN
CMP(MD) No.1643 of 2016
IN
SA(MD) No.828 of 2008

Allowing this petition for
restoration in Second Appeal
etc., as stated within.