



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

Monday, the Twenty Second day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

WEB COPY

CMP(MD) No.1706 of 2016

IN

SA(MD) No.404 of 2010

DEVASENAPATHY RAJU

... PETITIONER/APPELLANT

Vs

1 KRISHNASAMY

2 SANTHANA BARATHI

3 GANDHI MOHAN RAJU

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Restore the second appeal in S.A.No.404 of 2010 dismissed on 03.02.2014 for default by this Honourable Court.

Prayer in SA(MD). 404/ 2010 :

Second Appeal filed under section 100 of Civil Procedure Code against the Judgment and Decree passed in AS.No.24/2007 dated 30/11/2009 on the file of Principal District Court, Dindigul confirming the judgment and decree passed in OS.No.144/1997 dated 10/01/2007 on the file of sub court, Palani.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.ANANTH C.RAJESH, Advocate for the petitioner and of MR.D.VENKATESH, Advocate for the 1st Respondent the court made the following order:-

"It is reported by the counsel for the first respondent that the matter is not with them. Hence the Registry is directed to print the name of the first respondent. There is no representation for R2 & R3.

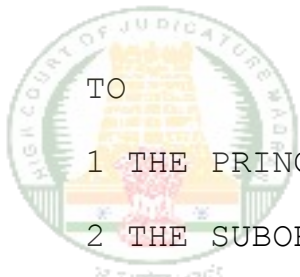
Having been satisfied with reasons stated in the affidavit, this petition is ordered and the appeal is restored to file.

Sd/-

Assistant Registrar(CO.Dept) I/C,

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.



TO

1 THE PRINCIPAL DISTRICT JUDGE, DINDIGUL.

2 THE SUBORDINATE JUDGE PALANI.

COPY TO:

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

DATED: 22.02.2016

ORDER

CMP (MD) No. 1706 of 2016
IN
SA (MD) No. 404 of 2010

Restoring the S.A.No. 404/2010 which was
dismissed for default on 03.02.2014 etc
as stated within.

RG.SK-SKN/SAR-I

24.02.2016 2P/4C