



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty First day of December Two Thousand Seventeen

PRESENT

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The Hon`ble Mr Justice K.KALYANASUNDARAM
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.11773 of 2017

IN

AS No.30 of 1996

TIRUNELVELI DISTRICT COOPERATIVE MILK PRODUCERS UNION LTD.,
TIRUNELVELI-7, REP.BY ITS MANAGING DIRECTOR,
OFFICE AT REDDIARPATTI ROAD, PERUMALPURAM
POST, TIRUNELVELI-7.

... PETITIONER/APELLANT

Vs

M.ARUMUGAM

... RESPONDENT/RESPONDENT

Prayer in CMP(MD) No.11773 of 2017:

Miscellaneous Petition filed under Order 41 Rule 19 of CPC to set aside the order of dismissal dated 06/10/2004 and restore the A.S.No.30 of 1996 on the file of this Honourable Court.

Prayer in AS No.30 of 1996:

Appeal Suit is filed under Section 96 of Civil Procedure Code against the Judgment and Decree made in O.S.No.19 of 1991 dated 22.08.1995 on the file of Principal Subordinate Court, Tirunelveli.

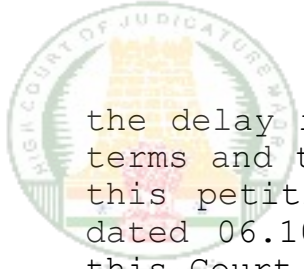
ORDER : This Civil Miscellaneous Petition coming on for hearing this day upon perusing the affidavit, petition the order of the Principal Sub Judge, Tirunelveli, and the Judgment of this Court dated 06.10.2004 and the material papers and upon the arguments of Mr.S.ARIVALAGAN, Advocate for the petitioner, Mr.K.KARTHICK, Advocate for the Respondent herein, this court made the following order:-

(Order of this court was made by K.KALYANASUNDARAM, J.)

This civil miscellaneous petition has been filed to set aside the order of dismissal dated 06.10.2004 and restore the A.S.No.30 of 1996 on the file of this Court.

2. Heard both sides and perused the records.
<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel for the petitioner submitted that



the delay in filing the petition to restore the suit was allowed on terms and the petitioner has complied with the condition. Therefore, this petition has been filed to set aside the order of dismissal dated 06.10.2004 and restore the A.S.No.30 of 1996 on the file of this Court.

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4. In view of the above fact, this civil miscellaneous petition is allowed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

TO

THE PRINCIPAL SUBORDINATE JUDGE,
TIRUNELVELI.

COPY TO:-

1. THE SECTION OFFICER,
V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (2 COPIES)
2. THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

DATED : 21.12.2017

ORDER

CMP (MD) No.11773 of 2017 IN
AS No.30 of 1996

Giving direction etc., as
stated within.