



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Thirteenth day of April Two Thousand and Seventeen

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CMP(MD) No.3280 of 2017

IN

SA(MD) No.950 of 2007

BALASINGAM

... APPELLANT/PETITIONER/
PETITIONER

Vs

THANUSHKODI

... RESPONDENT/RESPONDENT/
RESPONDENT

PRAYER IN CMP.No.3280/17:

Petition is filed under order 41 Rule 19 of C.P.C to restore the M.P.No.1 of 2008 which was dismissed on 25/02/2009 for default.

PRAYER IN CMP.No.1/2008:

Petition is filed under Order 9 Rule 14 of C.P.C to Restore the Second Appeal(MD)950 of 2007 which is dismissed on 14.11.2007 for Non Prosecution.

PRAYER IN SA(MD). 950/ 2007 :

Second Appeal filed against the Judgment and decree of the learned Sub Judge of Ramanathapuram passed in AS.83/2006 dated 21/04/2007 confirming the Judgment and Decree passed by learned District Munsif of Ramanathapuram passed in OS.20/2001 dated 25/07/2006.

ORDER:

This petition coming for hearing on this day upon perusing the petition and affidavit filed in support thereof, and upon hearing the arguments of Mr.S.Satheeshkumar, Learned Advocate for the Appellant and Mr.M.Siddharthan, Learned Advocate for the Respondents, this Court made the following order:

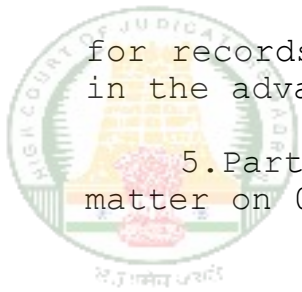
The petitioner is the appellant. The appeal has been dismissed for default on 25.02.2009. This petition has been filed to restore the appeal to file.

2.It is seen from the records that the delay in filing this petition has been condoned.

3.Having regard to the reason given by the petitioner and in view of the fact delay has been condoned, I am inclined to allow this petition.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The Registry is directed to restore the appeal to file, call



for records by a special messenger and directed to include the case in the advance list.

5. Parties are directed to get ready for final hearing. Post the matter on 01.06.2017

sd/-
13/04/2017

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

To

1) The Subordinate Judge,
Ramanathapuram

2) The District Munsif,
Ramanathapuram.

3) The Section officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER DATED: 13.04.2017

RESTORED

CMP(MD) No.3280 of 2017
IN
SA(MD) No.950 of 2007

Giving directions as stated
within etc.

kk/SKN RSK/SAR3-26.04.2017-2P-4c