



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twentieth day of July Two Thousand and Seventeen

PRESENT

The Hon`ble Mrs Justice PUSHPA SATHYANARAYANA

WEB COPY

CMP(MD) No.4463 of 2017
IN
SA(MD) No.858 of 2014

M. KAMALUDEEN
S/O.V.K. MOHAMMED KASIM,
VALLUVAR STREET,
KAVERI NAGAR COLONY,
KULITHALAI TALUK.

... PETITIONER

Vs

M. MAULANA
S/O.V.K. MOHAMMED KASIM,
VALLUVAR STREET,
KAVERI NAGAR COLONY,
KULITHALAI TALUK.

... RESPONDENT

Prayer in CMP(MD) No.4463 of 2017:-

Petition filed for Restoration Under Order 41 Rule 19 Civil Procedure Code praying this Court to restore the Second Appeal (MD)No.858 of 2014 which was dismissed for default on 23/02/2017.

Prayer in SA(MD). 858/ 2014 :

Second Appeal is filed under Section 100 of the Civil Procedure Code against the Judgment and Decree, dated 20.08.2014 in A.S.No.30 of 2013 on the file of Principal District Judge, Karur in confirming the Judgment and Decree dated 30.04.2013 made in O.S.No.94 of 2010 on the file of the Subordinate Judge, Kulithalai.

ORDER : This petition coming on for hearing on this day, upon perusing the petition and affidavit and material papers of the petition and upon hearing the arguments of Mr.R.MURALI, Advocate for the Petitioner, And of Mr.K.PRABHAKAR, Advocate for the Respondent, this court made the following order:

This petition has been filed praying to restore the S.A(MD). No.858 of 2014, which was dismissed for default on 23.02.2017.

Heard both sides.

Being satisfied with the reasons stated in the affidavit filed in support of the petition, this petition is ordered and restored to file.



The Registry is directed to post the Second Appeal on
10.08.2017.

sd/-
Assistant Registrar (CS-III)

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar

TO

1. THE PRINCIPAL DISTRICT JUDGE,
KARUR.

2. THE SUBORDINATE JUDGE,
KULITHALAI.

COPY TO:

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

ORDER DATED : 20/07/2017
POST ON : 10/08/2017

RESTORATION

CMP (MD) No. 4463 of 2017
IN
SA (MD) No. 858 of 2014

GIVING DIRECTION ETC.,
STATED WITHIN.

AE/GT/SAR3/26.07.2017/2P/4C