

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Friday, the Thirteenth day of October Two Thousand and Seventeen****CORAM****The Hon`ble Mr Justice K.KALYANASUNDARAM****CMP(MD) No.7220 of 2017****IN****SA No.1240 of 1996**

1.KANDASAMY (DIED)
2.CHINNAMMAL (DIED)
3.KARUPPIAH
4.PAPPA

... PETITIONERS

Vs

KARUPPIAH

... RESPONDENT

PRAYER IN CMP(MD) .7220/2017:

Civil Miscellaneous Petition filed under Order 41 Rule 19 of Civil Procedure Code praying this Hon'ble Court to set aside the order of dismissal for default passed on 07/02/2007 in the above Second Appeal and restore the same to file and dispose the same on merits.

PRAYER IN SA. 1240/ 1996 :

Second Appeal filed under section 100 of Civil Procedure Code praying this Hon'ble Court against the Judgment and decree dated 30.04.1996 and made in A.S.No.56/1993 on the file of the First Additional Subordinate Judge, Madurai, reversing the Judgement and Decree dated 02.09.1993 and made in O.S.No.225/1989 on the file of the District Munsif, Melur.

This Petition coming on for hearing on this day, upon perusing the affidavit and material papers filed, and upon hearing the arguments of Mr.PT.S.NARENDRAVASAN, Advocate for the Petitioner, this Court made the following Order:

Earlier application in MP(MD)No.1/2013 filed by the petitioner to condone the delay in filing application to set aside in order of dismissal was allowed interms and after reporting compliance the application is allowed on 28.07.2017.

In view the above fact, this application is allowed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/



TO

- 1.The First Additional Subordinate Judge, Madurai.
- 2.The District Munsif, Melur.

Copy to : The Section Officer, Judicial Posting,
Madurai Bench of Madras High Court, Madurai.

JS/MR.KKR/SAR.1/26.10.2017/2P-4C

ORDER DATED:13.10.2017

RESTORED

CMP (MD) No.7220 of 2017
IN

SA No.1240 of 1996
GIVING DIRECTION ETC., AS
STATED WITHIN.