



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

Thursday, the Second day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DURAISWAMY

CMP(MD) No.793 of 2017

IN

SA(MD) No.SR 32063 of 2010

WEB COPY

SRIL JOHN

... PETITIONER/APELLANT

Vs

NARAYANA POTRI

SRIL RAJAMANI

... RESPONDENTS/RESPONDENTS

PRAYER IN CMP(MD) .793/2017:

This civil Miscellaneous Petition filed under order 41 rule 19 of C.P.C to restore the SA(MD).SR.No.32063 of 2010 dated 27/09/2011 before the Honourable Court.

Prayer in SA(MD)No.SR 32063 of 2010

This Second Appeal filed under section 100 of CPC against the Judgment and Decree passed in AS No.118 of 2006 on the file of the Sub Court, Padmanbhapuram dated 03.10.2007 reversing the Judgment and decree in O.S.No 390 of 2000 dated 31.03.2006 on the file of the Additional District Munsif, Padmanbhapuram.

Order:This miscellaneous petition is coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.Illanchezian, Advocate for the Petitioner/Appellant, Mr.B.Brijesh Kishore, Advocate for the 1st Respondent and Mr.G.Cenil, Advocate for the 2nd Respondent. The Court Made the following order:

Heard both sides.

2.By order dated 09.01.2017, this Court condoned the delay of 1799 days in filing a petition to restore the petition in M.P.(MD) No.1 of 2010 on payment of costs of Rs.3,000/-

3. The learned Counsel appearing on either side submitted that the petitioner had paid the cost amount as directed by this Court on 09.01.2017 within the stipulated time. The present petition is to restore S.A.(MD)No.SR32063 of 2010.

4. The learned Counsel appearing for respondents has no objection for restoring the petition.



5. Further being satisfied with the reasons stated in the affidavit filed in support of the petition, S.A.(MD) No.SR32063 of 2010 is restored to file.

6. Accordingly this petition is ordered.

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Sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

TO

- 1.The Subordinate Judge,
Padmanabhapuram.
- 2.The Additional District Munsif,
Padmanabhapuram.

ORDER DATED:02.02.2017

ORDER

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IN
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MS/PN/SAR-2/9.2.2017/2P.3C