



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty Fourth day of April Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU

and

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.1047 of 2017

IN

AS(MD) No.54 of 2010

1.K.MURALI

2.K.GUNASEKARAN,

3.S.SARAVANAN

... PETITIONERS/APPELLANTS

Vs

D.ANBARASI PACKIARAJ

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order dated 19.1.2017 dismissing the appeal suit AS No.54 of 2010 on the file of this Hon'ble Court and restore the same to file.

Prayer in AS(MD) No.54 of 2010:

Appeal Suit is filed under section 96 of CPC preferred against the Judgment and decree dated 31.07.2009 passed in O.S.No.264/2004 on the file of Additional District Judge, Fast Track Court No.2, Madurai.

ORDER : This Civil Miscellaneous petition coming on for orders hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.Janakiramulu, Advocate for the petitioner and of Mrs.M.Rajeswari for M/S.SMS.Johnny Basha, Advocate for the sole respondent and the Court made the following order:-

Considering the reasons stated in the accompany affidavit and also the submissions made by both sides, we are inclined to allow this application for restoring the Appeal which was dismissed for non-prosecution.

Accordingly, this Application is allowed and the Appeal is



restored to file.

Post the Appeal for Final Disposal on 18.06.2018.

sd/-

Assistant Registrar(CS-II)

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar

TO

The Additional District Judge,
Fast Track Court No.2,
Madurai.

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.

ORDER DATED :24/04/2018
HEARING DATE : 08.06.2018

ORDER
CMP(MD) No.1047 of 2017
IN
AS(MD) No.54 of 2010

Restoring this Appeal suit
made in CMP(MD) .
No.1047/2017 dated
24.04.2018 etc., as stated
within.

AE/KKR/SAR4/28.04.2018/2P/5C