



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Seventeenth day of April Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU

WEB COPY

CMP(MD) No.3576 of 2018

IN

SA No.1889 of 1998

1.KARUPPIAH

2.NACHAL

... PETITIONERS

Vs

1.M. VALLIAMMAI (DECEASED)

2.M. SUBBIAH

3.SUBRAMANIAN

4.MUTHUMARI

... RESPONDENTS

Prayer in CMP(MD) No.3576 of 2018:-

Civil Miscellaneous Petition is filed under Order 9 Rule 9 read with under section 151 of Civil Procedure Code praying this Hon'ble Court, to set aside the order dated 06.09.2017 made in S.A.No.1889 of 1998 dismissing the above appeal for non appearance and restore the same on file of this Honourable Court.

Prayer in SA No.1889 of 1998:-

Second Appeal filed under section 100 of the Code of Civil Procedure, against the Judgment and Decree dated 27/09/1996 made in A.S.No.64/1994 on the file of the Subordinate Judge, Devakottai, reversing the Judgment and decree in O.S.No.286/1991 dated 21/04/1994 on the file of the District Munsif Court, Devakottai.

ORDER : This petition coming on for hearing, and upon perusing the affidavit and petition filed, and upon hearing the arguments of MR.N.MANI NARAYANAN, Advocate for the Petitioner, this Court made the following order:-

This Court already allowed the application in CMP(MD). No.10880/2017 filed for condoning the delay of 129 days in filing the set aside the application. Consequently the present petition filed for restoration of the Second Appeal is also allowed.

sd/-

Assistant Registrar(CS-II)

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

Sub-Assistant Registrar



TO

- 1.The Subordinate Judge, Devakottai.
- 2.The District Munsif Court, Devakottai.

Copy to:

- 1.The Section Officer,
(Judicial Posting),
Madurai Bench of Madras High Court,
Madurai.
- 2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

ORDER DATED :17/04/2018

RESTORATION

CMP (MD) No.3576 of 2018
IN
SA No.1889 of 1998

AE/SKN RSK/SAR2/25.04.2018/2P/6C