



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twentieth day of September
Two Thousand Eighteen

PRESENT

WEB COPY

THE HON`BLE MR.JUSTICE C.V.KARTHIKEYAN

CMP (MD) No.3984 of 2018

IN

SA (MD) No.814 of 2001

1 VIJAYAN

... PETITIONER/APELLANT

Vs

1 SIVASAMY (DIED)

2 VELU

3 SAKTHI

4 GANAPATHY

5 NATESAN

6 ARUMUGAM

7 AZHAGAMMAL

8 VEERAMMAL

9 ARUVUGAM

10 KARUPPAYEE

11 RAKKAMMAL

12 SUNDARMMA

13 PUSHAPAVALLI

14 KALAISELVI

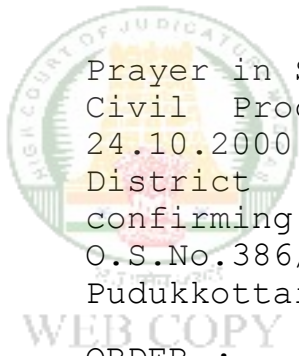
15 LAKSHMI

... RESPONDENTS/RESPONDENTS

(Respondents 10 to 15 brought on record as LRS of deceased 1st
Respondent vide court order dated 11.11.2016)

Prayer in CMP(MD),3984/2018:

This Petition filed Under Order 41 R19 R/W Sec.151 of Civil
Procedure Code praying to set aside the order of dismissal passed
in the above appeal for default on 11.04.2017 and restore the same
on file.



Prayer in SA.814 OF 2001: Second Appeal filed Under Section 100 of Civil Procedure Code against the Judgment and decree dated 24.10.2000 and made in A.S.No.115/1999 on the file of the Addl. District Judge-cum-Chief Judicial Magistrate, Pudukkottai, confirming the judgment and decree dated 27.02.1998 made in O.S.No.386/1991 on the file of Principal District Munsif Court, Pudukkottai.

ORDER : This petition coming on this day and upon perusing the earlier order dated 11.04.2017, the documents placed on record filed in support there of and upon hearing the arguments of MR.M.R.S.PRABHU, Advocate for Petitioner, and Mr.K.BALASUNDHARAM, Advocate for Respondents R10 to R15 and this Court made the following order:-

"Being satisfied with the reasons stated in the affidavit filed in support of this Petition, this petition is allowed.

The Appeal is of the year 2001.

Call SA.No.814 of 2001 on 10.10.2018 for final hearing."

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-IV)

TO

- 1 The Addl. District Judge-Cum-Chief Judicial Magistrate, Pudukkottai.
- 2 The Principal District Munsif, Pudukkottai.

ORDER DATED :20/09/2018

RESTORATION

CMP(MD) No.3984 of 2018
IN
SA(MD) No.814 of 2001

Giving directions etc.,
as stated within.

TR/RSK/SAR-IV(01.10.2018)2P 3C