



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Friday, the Fourteenth day of December Two Thousand and Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.11333 of 2018

IN

AS No.625 of 2003

S.DEIVENDRAN,

...Petitioner/Appellant

Vs.

K.S.P.SUBBIAH CHETTIAR

...Respondent/Respondent

Prayer in CMP(MD). 11333/ 2018 :

This Civil Miscellaneous Petition is filed under section 5 of the Limitation Act praying this Court to condone the delay of 358 days in filing the application to restore the above appeal on file.

Prayer in AS. 625/ 2003 :

This Appeal Suit is filed under section 96 r/w Order 41 Rule 1 of C.P.C. against the judgment and decree dated 10/01/2001 made in O.S.No.314/1999 on the file of the subordinate judge, Sivakasi.

ORDER:

This Petition coming on for hearing, and upon perusing the affidavit and petition filed, and upon hearing the arguments of Mr.N.Rahamadullah Advocate for the Petitioner and Mr.M.Suresh Kumar, Advocate for Respondent, this Court made the following order:

"Though the respondent has filed his Counter, he has no objection to entertain this petition.

Being the reasons stated in the affidavit are satisfied, this petition is allowed.

Registry is directed to restore the appeal to the file and post it for arguments on both sides on 20.12.2018".

Sd/-

Assistant Registrar(AD-I)

/True Copy/



TO

THE SUBORDINATE JUDGE,
THE SUBORDINATE COURT,
SIVAKASI.

WEB COPY

Copy To:

1.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai. (For posting the matter on 20.12.2018)

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (**2 copies**)

ORDER DATE :14/12/2018
POST ON : 20.12.2018

RESTORED

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