



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

Tuesday, the Twenty Fifth day of September Two Thousand Eighteen

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PRESENT

THE HON'BLE MS.JUSTICE V.M.VELUMANI

CMP (MD) No.9383 of 2018

IN

CMA (MD) No.1073 of 2010

1 RAMAYEE ...1st PETITIONER / 1st APPELLANT
2 VASANTHAL (DIED) ... 2nd APPELLANT
3 VIJAYALAKSHMI ... 2nd PETITIONER / 3rd APPELLANT

Vs

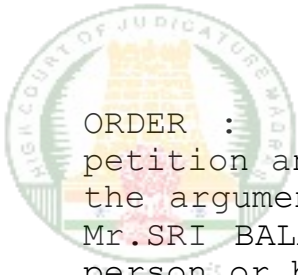
1.AMBIKAPATHY
2.RAMKUMAR
3.BOSE ALAGE @ BOSE
4.KANNAN
5.SUNDARASRINIVASAN
6.SURESHKUMAR
7.PONNALAGU
8.MANI
9.SELVI
10.DHARMARAJ
11.VIJAYALAKSHMI
12.VENKATESH

... RESPONDENTS / RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to restore the above Civil Miscellaneous Appeal in respect of respondents 8 to 12, which has been dismissed for nonpayment of batta by order dated 29.11.2017 and pass such other orders as this Honble court may deem fit and proper in the facts and circumstances of the case and this render justice.

Prayer in CMA(MD). 1073/ 2010 :

To set aside the judgement and decree dated 08.04.2010 in A.S.No. 2/2009 on the file of the District Judge, Sivagangai partly allowing the judgement and decree dated 21.08.2008 in O.S.No. 29/2004 on the file of the Sub Court, Sivagangai and remanding the suit and pass such other or further orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.AL.KANNAN, Advocate for the petitioners and of Mr.SRI BALAJI, Advocate for R6 and R1 & R7 not appeared either in person or by an advocate, the court made the following order:-

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This petition is filed to restore the appeal in respect of the respondents 8 to 12, which has been dismissed by this Court on 29.11.2017.

Mr.Sri Balaji, learned counsel appearing for the 6th respondent submitted that he has no objection for allowing the C.M.P(MD)No.9383 of 2018.

Recording the no objection, C.M.P(MD)No.9383 of 2018 is ordered.

The Registry is directed to restore the order of dismissal dated 29.11.2017 against the respondents 8 to 12.

Post on 26.09.2018.

sd/-
25/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
1.THE DISTRICT JUDGE,
SIVAGANGAI.

2.THE SUBORDINATE JUDGE,
SIVAGANGAI.

COPY TO:

THE SECTION OFFICER, JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.9383 of 2018
IN
CMA (MD) No.1073 of 2010
Date :25/09/2018

MS/VR-MMS/SAR-2/25.09.2018/2P.4C