



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

Friday, the First day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice R.HEMALATHA

CMP(MD) No.9876 of 2016

IN

SA No.1937 of 2002

SATTAVU CHETTIYAR

... PETITIONER/ PETITIONER

Vs

1 CHINNAIYA AMBALAM,
(DECEASED) SOLE RESPONDENT BY L.R.s.

2 CHINAMMAL(DIED)
[MEMO FILED IN COURT ON 21.02.2019 AND RECORDED
AS R2-DIED, R3 TO R6 ARE THE LRs OF DECEASED R2
AS PER ORDER DATED 21.02.19
IN CMP(MD)NO.9876/2018 IN SA 1937 OF 2002 BY RHJ)

3 AZHAGAMMAL

4 NACHAMMAL

5 PALANICHAMY

6 RAMASAMY

... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Condone the delay of 929 days in filing the petition to restore the above C.M.P.No.12969, 12970 and 12971 of 2003 in S.A.No.1937 of 2002, dismissed by this Honourable Court on 18.11.2013

PRAYER IN SA No.1937 of 2002:

To prefer this memorandum of second appeal against the decree and judgment of the Principal Subordinate Judge, Dindigul dated 12.09.2001 and passed in A.S.No.49/2000, reversing the decree and judgment of the First Additional District Munsif, Dindigul dated 29.09.1999 and passed O.A.No.286 of 1997.

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.A.HARIHARAN, Advocate for the petitioner and of Mr.J.LAWRANCE, Advocate for R3 to R6, the court made the following order:-



filing the petition to restore the C.M.P.Nos.12969, 12970 and 12971 of 2003 in S.A.No.1937 of 2002 which were dismissed by this Court on 18.11.2013.

2.No serious objections were placed on the side of the respondents.

3.This Court is satisfied with the reasons assigned in the paragraph Nos.6 and 7 in the affidavit filed in support of the petition. In view of the same, this petition is allowed. The Registry is directed to restore the Civil Miscellaneous petitions and list the matter on 13.03.2019.

sd/-

01/03/2019

/ TRUE COPY /

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

TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
DINDIGUL.

2 THE FIRST ADDITIONAL DISTRICT MUNSIF,
DINDIGUL.

COPY TO:

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

ORDER

IN

CMP (MD) No.9876 of 2016

IN

SA No.1937 of 2002

Date :01/03/2019

MS/PN/SAR-3/20.03.2019/2P.4C