



CMP(MD) . No.6707 of 2019
IN CRP(MD).37 OF 2008

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
Friday, the Second day of August Two Thousand Nineteen

Present

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) . No.6707 of 2019
IN CRP(MD).37 OF 2008

1. S.VENAKKAMARY
2. L.AUGUSTINE DOMINIC AYYA
3. TMT.BENITTA RANI SHANTHI

Petitioners/Petitioners

Vs

- 1 VENKATA NARASHIMAN (DIED)
REP BY HIS POWER AGENT
R.AADHIBALASUBRAMANIAN

...RESPONDENT /RESPONDENT

- 2 Joseph Managalaraj

..2nd RESPONDENT/2nd RESPONDENT

- 3 Duraisamy

- 4 S.Yagappan

...3&4 RESPONDENT/3 & 4 RESPONDENT

- 5 V.Rajalakshmi,
W/o.Venkata Narashiman(Died)

- 6 V.Thangam,
D/o.Venlata Narashiman(Died)

- 7 V.Balaji,
S/o.Venlata Narashiman(Died)

- 8 V.Sankar,
S/o.Venlata Narashiman(Died)

... 5 to 8 Respondent/ PROPOSED RESPONDENT

Prayer :-

This Civil Miscellaneous Petition filed under order 41 Rule 19 of CPC to pray that this Hon'ble Court may be pleased to Restore the CRP(MD)No.37 of 2008 which was dismissed on 18.07.2019 by this Hon'ble Court and thus render justice.



Prayer in CRP(MD).37 of 2008:-

Civil Revision Petition filed under section 115 of the Civil Procedure Code, to set aside the fair and decreetal order passed in C.M.A.No.29 of 2006 dated 08.06.2007 on the file of Principal Sub Court Thanjavur reversing the fair and decreetal order passed in E.A.No.352 of 1988 in E.P.No.440 of 1985 in O.S.81 of 1983 dated 26.09.2006 on the file of the District Munsif Court Thanjavur

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Ms. D.SELVANAYAGAM, Advocate for the Petitioner, this Court made the following order:

This petition is filed to restore CRP(MD)No.37 of 2008, which was dismissed as abated by this Court on 18.07.2019.

2.This Court is satisfied with the reasons stated in the affidavit filed in support of this petition. Considering the fact that the petitioners have already filed a petition to set aside the abatement, this Petition is allowed and CRP(NPD)(MD)No.37 of 2008 is restored to file.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar(CS)

TO

- 1.The Principal Sub Court Thanjavur
- 2.The District Munsif Court Thanjavur

Copy to:

The Section Officer, Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 02/08/2019
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ORDER

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CMP(MD). No.6707 of 2019
in CRP(MD).37 OF 2008

Giving direction and etc.
as stated within.

(CO)

TR (09.08.2019) 2P 4C

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