



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Third day of December Two Thousand and Nineteen

WEB COPY

PRESENT

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CMP (MD) . No.12341 of 2016

IN

SA.No.1165 of 2003

E. Arputhadhas

...Petitioner/Appellant

Vs

1 E. Joseph

2 E. Gopalan

3 M. Thayee

4 E. Kolappan

5 E. Kesavan

...Respondents/Respondents

Prayer in CMP(MD) . No.12341 of 2016 :-

Civil Miscellaneous Petition is filed under Order 41 Rule 19 of Civil Procedure Code, praying this Hon'ble Court to restore the second appeal in S.A.No. 1165 of 2003 which was dismissed for default on 02.12.2016 for non-prosecution.

Prayer in SA.No.1165 of 2003 :

Second Appeal is filed under section 100 of Civil Procedure Code against the judgment and decree dated 27.11.2001 made in A.S.No.12 of 1996 on the file of the I Additional Subordinate Court, Padmanabhapuram, reversing the judgment and decree dated 28.06.1995 made in O.S.No.275 of 1992 on the file of the Principal District Munsif Court, Padmanabhapuram.

ORDER:-

Civil Miscellaneous Petition is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. D.Rajagopal, Advocate for the Petitioner and of Mr. K.N.Thambi, Advocate for the respondent, this Court made the following order:



This Petition is Ordered and the appeal is restored on file.
Post the appeal on 17.12.2019 for arguments.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

TO

- 1 The I Additional Subordinate Judge, Padmanabhapuram.
- 2 The Principal District Munsif, Padmanabhapuram

Copy to:

1. The Section Officer, Judicial Section
Madurai Bench of Madras High Court, Madurai
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 03/12/2019

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Restoration
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CMP(MD) . No.12341 of 2016
IN
SA.No.1165 of 2003

Giving direction and etc.
as stated within.

NS (CO)
TR(16.12.2019) 2P 5C