



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

Wednesday, the Eleventh day of November Two Thousand and Twenty
PRESENT

The Hon'ble Mr. Justice R. MAHADEVAN
CMP(MD). No.3103 of 2018

in

SA(MD).No.763 of 2016

Veerabadran

...Petitioner/Appellant

Vs

1 Annakili
2 Muthulakshmi
3 Santhi

...Respondents/Respondents

Prayer in CMP(MD). No.3103 of 2018 :-

Civil Miscellaneous Petition filed under section 5 of Limitation Act, praying this Court to condone the delay of 418 days in filing the petition for restoration of the SA.No.763 of 2016.

Prayer in SA(MD).No.763 of 2016 :

second Appeal filed under section 100 of Civil Procedure Code, praying to set aside the decree and judgment dated 16.06.2011 made in A.S.No.53 of 2010 on the file of the IInd Additional Sub Court, Trichy, confirming the decree and Judgment dated 16.11.2009 made in O.S.No.32 of 2008 on the file of the District Munsif, Musiri.

ORDER:-

Civil Miscellaneous Petition coming up for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and none appearing for both sides, this Court made the following order:

- This Civil Miscellaneous Petition is filed to condone the delay of 418 days in filing the petition to restore the second appeal.
- When the matter came up for hearing on 05.11.2020, there was no representation for the petitioner and therefore, the matter was directed to be listed today under the caption 'for dismissal'. Even today, when the matter is called, there is no representation for the petitioner. Hence, this Civil Miscellaneous Petition is dismissed for non-prosecution.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

- 1 The II Additional Subordinate Judge, Trichy.
- 2 The District Munsif, Musiri

Copy to

The Section Officer, (2Copies)
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER DATED : 11/11/2020

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ORDER
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CMP(MD) . No.3103 of 2018
in
SA(MD) .No.763 of 2016

Giving direction and etc.
as stated within.

KB(24.11.2020) 2P 5C