



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Fourteenth day of October Two Thousand and Twenty

PRESENT

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The Hon`ble Mr.Justice R.MAHADEVAN

CMP(MD) . No.7979 of 2018
in
S.A.(MD) No.97 of 2018

P.Jeganathan ... Petitioner/Appellant

Vs

- 1 S.S.Govindan
- 2 P.Mariyappan (Died)
- 3 Yasothai
- 4 Dhanasekara Pandian
- 5 Rajasekara Pandian
- 6 Gunasekara Pandian
- 7 Rajalakshmi

(R2 died and R 5 set exparte befor the
first Appellate court hence notice to R5
may be dispensed with) ... Respondents/Respondents

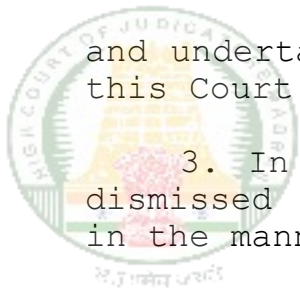
Prayer :-This Petition filed under order 41 Rule 19 and Sec 15 of C.P.C to set aside the order dated 12.04.2018 dismissing the Second Appeal in SA(MD)No.97 of 2018 for default and restore it to file and dispose of it according to law.

Prayer in SA(MD) . 97 of 2018 :

Second Appeal filed under section 100 of C.P.C. against the decree and judgment passed by the Sub Court, Virudhunagar in A.S.No.11/2013 dated 22.4.2016 confirming the decree and judgment passed by the District Munsif Court, Virudhunagar in O.S.No.263 of 2006 dated 09.10.2009

ORDER:- This Petition coming up for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.R.Gowrisankar, Advocate for the Petitioner and of Thiru.George Raja For M/s.Ajmal Associates, Advocate for the 1st respondent, this Court made the following order:

This Civil Miscellaneous Petition has been filed to set aside the order dated 12.04.2018 dismissing the Second Appeal for default.



and undertakes to send an e-mail in this regard to the Registry of this Court.

3. In view of the above facts, this Miscellaneous Petition is dismissed as withdrawn liberty to the petitioner to proceed afresh in the manner known to law.

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The Sub Judge, Virudhunagar.

2. The District Munsif, Virudhunagar.

+1cc to M/s.Ajmal Associates, Sr.No.20008

ORDER DATED : 14/10/2020

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ORDER

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CMP(MD) . No.7979 of 2018

in

S.A.(MD)No.97 of 2018

Giving direction and etc.
as stated within.

VB (22.10.2020) 2P 4C