



WEB COPY

CMP(MD). No.11090 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(CIVIL APPELLATE JURISDICTION)

TUESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE MR.JUSTICE R.MAHADEVAN

CMP(MD). NO.11090 OF 2017
IN
S.A(MD).NO.355 OF 2017

Subbaiah ...Petitioner/Appellant

Vs

Raju ...Respondent/Respondent

Prayer in CMP(MD). No.11090 of 2017 :-

Civil Miscellaneous Petition filed under Order 41 Rule 19 of Civil Procedure Code, praying to set aside the order dated 18.8.2017 passed by this Court in S.A.(MD) No.355 of 2017 and restore the above appeal.

Prayer in S.A.(MD) No.355 of 2017 :

Second Appeal filed under section 100 of Civil Procedure Code, praying this Court to set aside the Judgment and Decree dated 5.6.2015 made in A.S.No.69 of 2011 on the file of the Subordinate Judge, Ambasamudram, confirming the Judgment and Decree dated 08.8.2011 made in O.S.No.186 of 2009 on the file of the Additional District Munsif Court, Ambasamudram

ORDER:- Civil Miscellaneous 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 Mr.S.S.Thesigan, Advocate for the Petitioner, this Court made the following order:

This Miscellaneous Petition has been filed to set aside the order dated 18.08.2017 dismissing the Second Appeal for non-prosecution.

2.Having been satisfied with the reasons assigned in the affidavit filed in support of this Miscellaneous Petition and also the submission made by the learned counsel for the petitioner, this petition is ordered and the Second Appeal is



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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1 The Subordinate Judge, Ambasamudram.
- 2 The Additional District Munsif, Ambasamudram

Copy to:

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

ORDER DATED : 13/10/2020

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ORDER
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CMP(MD) . No.11090 of 2017
in
S.A(MD) .No.355 of 2017

Giving direction and etc.
as stated within.

NR (16/10/2020) 2P : 4C