



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Third day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) . No.5648 of 2021

in

S.A. No. 927 of 1998

and

CMP(MD) . Nos.5650, 6002, 6003 & 6004 of 2021

in

S.A. No. 928 of 1998

CMP(MD) . No.5648 of 2021 in S.A. No. 927 of 1998.

Ganesan

...Petitioner/ Petitioner

Vs

- 1 A.Thangaiah Nadar (Died)
- 2 Seeni @ Ramaranjitham (Died)
- 3 Pathirakali @ Panchavarnam,
- 4 Thanga Mariammal (Died)
- 5 Muthu Irulappan
- 6 Andal
- 7 Meenakshi (Minor)
Rep. by Father and Guardian Muthuirulappan
the 5th Respondent.
- 8 A.T.Kasmani
- 9 A.T.Ramaraj
- 10 A.T.Nagaraj
- 11 A.T.Vaigundam
- 12 A.T.Thamarai
- 13 A.T.Bakkiyathai
- 14 A.T.Saraswathi
- 15 G.Manikandan

...Respondents/Respondents

Prayer in CMP(MD) . No.5648 of 2021 in SA. 927/ 1998:-

Petition filed order 41 Rule 19 of Civil Procedure Code, to restore the Second Appeal in SA No.927 of 1998 which was dismissed for default on 04.02.2021.

Prayer in SA. 927/ 1998 :

This second Appeal filed under Sec 100 of Civil Procedure Code, against the Judgment and Decree dated 27/11/1997 made in A.S.No.93/1997 on the file of the Principal District Judge,

<https://hcservices.ecourts.gov.in/hcservices/>



Kamarajar District at Srivilliputhur reversing the Judgment and decree dated 18/09/1996 and made in O.S.No.74/1993 on the file of Additional Sub Judge, Srivilliputhur.

CMP(MD). Nos.5650, 6002, 6003 & 6004 of 2021
in S.A. No. 928 of 1998.

Ganesan

... Petitioner/ Petitioner

Vs

1. Seeni @ Ramaranjitham (Since Deceased),
2. Panchavarnam @ Pathirakali,
3. Thangamariammal (Died)
4. A.Thangaiah Nadar (Died)
5. Sivasubramaniyan
6. Chelladurai Nadar
7. Muthu Irulappan
8. Andal
9. Meenakshi (Minor)
Rep. by Father and Guardian Muthuirulappan
the 7th Respondent.

10. G.Manikandan
11. A.T.Kasimani
12. A.T.Ramaraj
13. A.T.Nagaraj
14. A.T.Vaigundam
15. A.T.Thamarai
16. A.T.Bakkiyathai
17. A.T.Sarawathi

Respondents/Respondents

Prayer in CMP(MD). No.5650 of 2021 in SA. 928/ 1998 :-

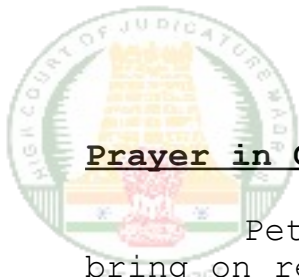
Petition filed order 41 Rule 19 of Civil Procedure Code, to restore the Second Appeal in SA No.928 of 1998 which was dismissed for default on 04.02.2021.

Prayer in CMP(MD). No.6002 of 2021 in SA. 928/ 1998 :-

Petition filed order 22 Rule 9(2) of Civil Procedure Code, to set aside the abatement caused due to the death of the 3rd respondent in SA No.928 of 1998.

Prayer in CMP(MD). No.6003 of 2021 in SA. 928/ 1998 :-

Petition filed order 22 Rule 4 of Civil Procedure Code, to bring on records the respondent No.10 as legal representative of the deceased 3rd respondent in SA No.928 of 1998.



Prayer in CMP(MD). No.6003 of 2021 in SA. 928/ 1998 :-

Petition filed order 22 Rule 4 of Civil Procedure Code, to bring on records the respondents No.11 to 17 as legal representative of the deceased 4th respondent in SA No.928 of 1998.

Prayer in SA. 928/ 1998 :

This second Appeal filed under Sec 100 of Civil Procedure Code, against the Judgment and Decree dated 27/11/1997 made in A.S.No.46/1997 on the file of the Principal District Judge, Kamarajar District at Srivilliputhur reversing the Judgment and decree dated 18/09/1996 and made in O.S.No.79/1993 on the file of Additional Sub Judge, Srivilliputhur.

ORDER:- These Petitions are coming on for orders on this day and upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of Mr. R. Rajaraman, Advocate for the Petitioner and of Mr. M. Ashok Kumar for the respondents 5 to 7, this Court made the following order:

"I am satisfied with the reasons set out in the affidavit filed in support of these petitions.

These petitions are allowed."

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Principal District Judge,
Virudhunagar District at Srivilliputhur.
2. The Additional Subordinate Judge, Srivilliputhur.

Copy to:

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



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

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ORDER DATED : 23/07/2021

HEARING DATE : 27/07/2021

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ORDER

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CMP(MD) . No.5648 of 2021

in

S.A. No. 927 of 1998

and

CMP(MD) . Nos.5650, 6002,
6003 & 6004 of 2021

in

S.A. No. 928 of 1998

Giving direction and etc.
as stated within.

TR(26.07.2021) 4P 6C