



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

Friday, the Second day of July Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN
CMP(MD) No.4463 OF 2021

WEB COPY

in
SA. No.673 of 2001

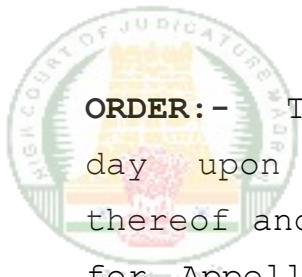
1. KUPPUSAMY (DIED),
 2. SUBRAMANI
S/o. LATE Kuppusamy
Methaipatti, R.Kombai Village
and Post, Vendasandur Taluk
Dindigul District
 3. SAKTHIVEL
S/o. LATE Kuppusamy
Methaipatti, R.Kombai Village
and Post, Vendasandur Taluk
Dindigul District
 4. Muniammal,
D/o. Late Kuppusamy
18/27, Rajaji Nagar 3rd Street,
Villivakkam, Chennai-49.
 5. Murugeswarai,
D/o. Late Kuppusamy
Methaipatti, R.Kombai Village and Post
Vendasandur Taluk
Dindigul District. ..Petitioners / Appellants
- Vs
1. THE COMMISSIONER
GUZILIAMPARAI PANCHAYAT UNION (REGULAR)
GUZILIAMPARAI ..Respondents / Respondent

Prayer in CMP(MD) No.4463 of 2021

This Miscellaneous Petition filed under Order 41 Rule 19 r/w 151 of CPC to set aside the order dated 26.3.2021 of dismissing the Second Appeal for non prosecution and restore the Second Appeal in S.A.No.673 of 2001.

Prayer in S.A. (MD) No.673 of 2001

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 16.02.2001 made in A.S. No.53 of 1999 on the file of the Additional Subordinate Judge, Dindigul reversing the Judgment and Decree passed in O.S. No.138 of 1995 on the file of the District Munsif cum Judicial Magistrate, Vendasandur dated 21.10.1997.



ORDER:- This Miscellaneous Petition coming on for orders on this day upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Nandakumar, Advocate for Appellants and the respondent having not appeared either in person or by an Advocate, this Court made the following order:

" I am satisfied with the reasons stated in the accompanying affidavit filed in support of this petition, this petition is allowed.

S.A.(MD) No.673 of 2001 is restored on file".

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

- 1) The Additional Subordinate Judge, Dindigul
- 2) The District Munsif-cum-Judicial Magistrate, Veda sandur

Copy to:

- 1) The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai (2c)
- 2) The Section Officer, Judicial Department
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 02/07/2021

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ORDER

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CMP(MD) No.4463 OF 2021

in

SA. No.673 of 2001

Giving direction and etc.
as stated within.

KK(09.07.2021) 2P 6C