



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

Thursday, the Seventh day of October Two Thousand and Twenty One

PRESENT

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

CMP (MD) No.6873 of 2021
IN
SA (MD) No.56 of 2010

1 R.N.T.SENTHILKUMAR
2 ANANDA JOTHY

... PETITIONERS/ APPELLANT

Vs

1 BAGIRATHI BAI
2 NAGAMMAL
3 MALATHI
4 RAGAVENDRAN

... RESPONDENTS/ RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside and restore the same in the above SA(No). 56 of 2010 on the file of this Honourable Court which was dismissed for default on 17.02.2021 and thus renders justice.

Prayer in SA(MD) No.56 of 2010:

To prefer the Memorandum of Grounds of Second Appeal against the Judgment and Decree in A.S.No.51 of 2008 dated 29.07.2009 on the file of the Principal Subordinate Judge, Thanjavur Confirming the judgment and decree in O.S.No.50 of 2006 dated 16.12.2006 on the file of District Munsif Court, Thiruvaiyaru.

ORDER: This 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.B.JAMEELARASU, Advocate for the petitioners, the court made the following order:-

I am satisfied with the reasons stated in the affidavit filed in support of this petition. The petitioners undertake to pay a sum of Rs.2,000/- (Rupees Two Thousand only) towards cost to the credit of Madurai Bench of Madras High Court Advocates Welfare Fund Trust in current A/c. No.7087208431, Indian Bank, Madurai Bench of Madras High Court Branch, IFSC : IDIB000H040, within a period of one week.



2. Recording the said undertaking given by the petitioners, this petition is allowed.

sd/-
07/10/2021

/ TRUE COPY /

WEB COPY

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE PRINCIPAL SUBORDINATE JUDGE, THANJAVUR

2 THE DISTRICT MUNSIF, THIRUVAIYARU.

COPY TO:

THE OFFICER INCHARGE,
ADVOCATE WELFARE FUND TRUST,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.6873 of 2021
IN
SA(MD) No.56 of 2010
Date :07/10/2021

MK/SKN/SAR.III/12.10.2021/2P/4C