



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Fifteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr.Justice R. VIJAYAKUMAR

CMP(MD) . No.3949 of 2019

IN

SA No..1330 of 1998

1. M.Krishnamoorthy(rep by his Legal Heirs)
2. Mrs. K. Manogiri
3. K. Rajagopal
4. K. Gopalasamy
5. Mrs. S. Bhagyalakshmi
6. Mrs. G. Saraswathy
7. Mrs. V. Kamatchi
8. Mrs. N. Vishalakshi
9. Mrs. S. Renukadevi
10. Mrs. Jayalakshmi ... Petitioners/Appellants

Vs

1 Tmt Angammal(Deceased)
Rep.By Her LRs
2 R.Venugopal @ Kannan
3 N.Devaki
4 R.Venkatesan,
5 R.Kesavan,
6 G.Mulumathi,
7 G.Thendral,
8 G.Mukkani, ... Respondents/Respondents

Prayer in CMP(MD) . No.3949 of 2019 :-

This Civil Miscellaneous Petition filed under Order 41 Rule 19 of CPC, praying this Court to set aside the order of dismissal for default dated 26.11.2018 in S.A.No.1330 of 1998 and restore the same

Prayer in SA No..1330 of 1998

This Second Appeal is filed under Section 100 of CPC., praying this Court, against the judgment and decree dated 27.02.1998 in A.S.No.91 of 1996 on the file of the appellante authority of Madurai (Principal District Judge) Madurai confirmed the the decree and judgment in OS.No.504 of 1985, dated 27.07.1995 on the file of the Principal Sub-Judge, Madurai



ORDER: -

This Second /Appeal Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.V.Venkataseshan Advocate For Petitioner, and no Counsel Appear For Respondents, , this Court made the following order:

The present application has been filed to restore the Second Appeal, which was dismissed for default on 26.11.2018 and there is no delay in filing this application. The respondents in the application have been served and there is no representation on behalf of the respondents.

2. The application is ordered and the Second Appeal is restored to file, post the appeal for "final hearing" on 22.11.2021.

Sd/-

Assistant Registrar (CS-Ii)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Principal District Judge, Madurai

2 The Principal Subordinate Judge, Madurai

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
(for Posting the matter)

ORDER DATED : 15/11/2021

NEXT HEARING : 22.11.2021

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RESTORED

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CMP(MD). No.3949 of 2019

IN

SA No..1330 of 1998

Giving direction and etc.

as stated within.

KB(19.11.2021) 2P 4C