



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Fifth day of January Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) . No.5408 of 2020

in

S.A.(MD) No.260 of 2008

1.Chellathai (Died)
2.Selvarani
3. Minor Chelciya
4.Minor Aravind ... Petitioners/Petitioners/Appellants
(Minors P3 & P4 are represented by
their Mother and Natural Guardian 2nd Petitioner)

Vs

1.Alagammal (Died)
2.Ramachandran
3. Panneerselvam
4. Franklin Joseph
5. Pandi
6. Palani
7. Selvaraj
8. Kumar
9. Jayapaul
10. Velusamy
(No Relief Claimed Against
the Respondents 3 to 10
as they were Given Up)
11. V.Tamilvasan
12. M.Pandiyammal ... Respondents/Respondents/ Respondents

Prayer in CMP(MD) . No.5408 of 2020:-

This Civil Miscellaneous Petition filed Under Section 151 of C.P.C. Praying this Court, to reopen the applications in CMP(MD).No. 11747, 11748, 11750 to 11752 and 11754 of 2019 for further hearing and main second appeal in SA(MD).No. 260/2008.



Prayer in SA(MD). 260/ 2008 :

This Second Appeal filed Under Section 100 of C.P.C., against the Decree and Judgment of the Principal District Judge, Madurai made in AS.6/2007 dated 22/10/2007 reversing the Decree and Judgment of the Principal Subordinate Judge, Madurai made in OS.977/1998 dated 22/09/2006.

ORDER:-

This Civil Miscellaneous Petition coming up for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.Prabhu Rajadurai, Advocate for the Petitioners and of Mr.Bharathan, for Mr.T.R.Jeyapalam, Advocate for Second Respondent, this Court made the following order:

This application is filed to re-open the applications in C.M.P. (MD).Nos.11747, 11748, 11750 to 11752, 11754 of 2019, closed by this Court, dated 18.02.2020.

2. The above said applications were closed, when the application filed in C.M.P(MD).No.10168 of 2018 by the second respondent, was dismissed for default. Since the above said applications were filed to bring on record the legal representatives of the appellant as well as the first respondent in the above said appeal, this application is allowed and the petitions in C.M.P.(MD). Nos.11747, 11748, 11750 to 11752, 11754 of 2019 are re-opened and restored to file.

3. Registry is directed to print the name of Mr.V.Ramakrishnan, learned counsel for the first respondent and post the appeal on **08.01.2021**.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

The Principal District Judge, Madurai



Copy to:

1. The Principal Subordinate Judge, Madurai
2. The Section Officer, Judicial Section,
Madurai Bench of Madras High Court, Madurai
(To list the matter on 08.01.2021)

ORDER DATED : 05/01/2021

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ORDER
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CMP(MD) . No.5408 of 2020
in
S.A.(MD) No.260 of 2008

Giving direction and etc.
as stated within.

NR (06/01/2020) 3P : 4C