



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Fourteenth day of December Two Thousand and Twenty One

PRESENT

The Hon'ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) . No.6397 of 2019
in
SA(MD)SR.No.2230 of 2015

Annapackiyam

... Petitioner/ Petitioner

Vs

Manickaraj

... Respondent/Respondent

Prayer in CMP(MD) . No.6397 of 2019:-

This petition filed Under Order 41 Rule 19 of C.P.C. to restore the case in CMP No.5209 of 2016 in SA.SR No.2230 of 2015 on the file of this Honourable Court which was dismissed for non prosecution by order dated 10.06.2016 in CMP No.5209 of 2016 in SA.SR.No.2230 of 2015.

Prayer in CMP No.5209 of 2016:-

This petition filed Under Section 49 of C.P.C.to condone the delay of 336 days to deposit default Court fee in SA(MD)SR.No.2230 of 2015

Prayer in SA(MD)SR.No.2230 of 2015:-

Second Appeal filed under Section 100 of C.P.C.against the judgment and decree made in A.S.No.5 of 2014 dt.28.08.2014.on the file of the Subordinate Judge, Sankarankovil confirming the judgement and decree passed in O.S.No.256 of 2010 dt.7.11.2013.on the file of the Additional District Munsif, Sankarankovil.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru. Venkatesan, Advocate for the Petitioner and of Thiru. F.X.Eugene, Advocate for the respondent, this Court made the following order:



"It is represented by the learned counsel for the petitioner that cost paid.

Hence this petition is allowed and the second appeal is restored to file."

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

1. The Subordinate Judge,
Sankarankovil
2. The Additional District Munsif,
Sankarankovil

Copy to:

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

USK (31.12.2021) 2P 4C

ORDER DATED : 14/12/2021

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ORDER
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CMP(MD). No.6397 of 2019

Giving direction and etc.
as stated within.