



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Twenty Second day of December Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD)No.6463 of 2021

in

SA.No.752 of 2000

1.Kandasamy (died)

2.Karthavanam

3.Tamilselvi

... Petitioners

(P2 & 3 are brought on record
as Lrs of the deceased sole
Petitioner vide Court order
dt.03.08.21 made in MP(MD)No.1 of 2013
and CMP(MD)Nos.6278, 6280 and 6281 of 2021
in SA.No.752 of 2000)

Vs

Ramalingam

... Respondent/Appellant

Prayer in CMP(MD)No.6463 of 2021 :- This Civil Miscellaneous Petition is filed under Section 41 Rule 21 CPC and under Section 151 CPC to set aside the judgment and decree dated 15.02.2008 made in S.A.No.752 of 2000 and re-hear the above second appeal and thus render justice.

Prayer in SA.No.752 of 2000:- The Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 08.10.1999 in A.S.No.50 of 1999 on the file of the learned Additional District Judge-cum-Chief Judicial Magistrate, Pudukottai in reversing the judgment and decree dated 16.12.1997 in O.S.No.34 of 1996 on the file of the learned District Munsif, Aranthangi.

ORDER:- This Civil Miscellaneous 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 Mr.N.Balakrishnan, Advocate for the Petitioner and of Mr.K.Baalasundharam, Advocate for the respondent, this Court made the following order:-

The present application has been filed under Order 41 Rule 21 CPC to set aside the judgment and decree dated 15.02.2008 made in S.A.No.752 of 2000 and re-hear the above second appeal since the delay has already been condoned.



2. Being satisfied with the reasons stated in the affidavit filed in the support of this petition, this petition is ordered.

3. Post the Second Appeal on **23.12.2021**.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021
Sub Assistant Registrar(CS)

Gbg

TO

1.The Additional District Judge cum
Chief Judicial Magistrate,
Pudukottai.

2.The District Munsif,
Aranthangi.

Copy to:

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

2.The Section Officer,
ER/VR Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 22/12/2021

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ORDER

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CMP(MD)No.6463 of 2021
in

SA.No.752 of 2000
Giving direction and etc.
as stated within.

MGJ(22.12.2021) 2P 6C