



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

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

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PRESENT

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

CMP(MD) No.8681 of 2021

IN

SA(MD) No.358 of 2005

NAINAR THEVAR (DIED)

1 N.VEERA PERUMAL
2 LALITHA
3 N.NAINAR NAGENDRAN
4 N.MURUGAN
5 SARASWATHI
6 RAJESWARI

... PETITIONERS 1 TO 6/
PROPOSED APPELLANTS 1 TO 6
LRs OF DECEASED SOLE APPELLANT

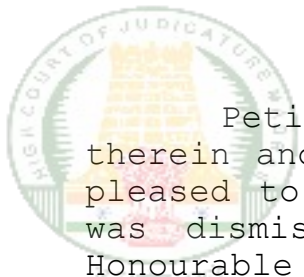
Vs

1 M.PUSHPARAJ
2 T.M.JEYAMARY
3 MANOHARAN
4 JOSHPIN
5 LILLI THERAUS
6 JOSEPH
7 PACKIA SELVI
8 LATHA NAVAJOITHI
9 SURESHKUMAR
10 FRANCIS
11 ANTONY CHELLADURAI
12 PANNEER
13 U.K.RAJA XAVIER SEKAR
14 JOSH KAMARAJ

15 SOUNDARA RAJA MILLS LTD.,
SOUNDARARAJA BUILDING,
G.T.N.SALAI,
DINDIGUL-624 009.

... RESPONDENTS/ RESPONDENTS

(Respondents 3,10 to 14 are called absent
and set ex-parte before the trial Court.
Hence Notice may be dispensed with)



Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the order passed in SA(MD) No.358/2005 which was dismissed as abated dated 17.09.2019 on the file of this Honourable Court and restore the same.

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Prayer in SA(MD) No.358 of 2005:

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree, dated 04.02.2005, made in A.S.No.13 of 2003 on the file of the learned First Additional Subordinate Judge, Tirunelveli, confirming the judgment and decree, dated 17.09.2002, made in O.S.No.130 of 1997 on the file of the learned Principal District Munsif, Valliyoor.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.ANANDKUMAR, Advocate for the petitioners, the court made the following order:-

This petition is allowed and the second appeal is restored.

The learned counsel for the Respondents submits that since the second appeal itself was dismissed as abated, their clients have taken back the papers.

If any interim order was passed in the second appeal, the second appeal is restored along with the interim order.

sd/-

28/10/2021

/ TRUE COPY /

/ /2021

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

TO

1 THE FIRST ADDITIONAL SUBORDINATE JUDGE,
TIRUNELVELI.

2 THE PRINCIPAL DISTRICT MUNSIF,
VALLIYOOR.

ORDER IN
CMP(MD) No.8681 of 2021
IN
SA(MD) No.358 of 2005
Date :28/10/2021

MS/PN/SAR-4/02.11.2021/2P.3C