



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Eighth day of February Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP (MD) SR.No.9659 of 2020

in

SA.No.1623 of 1999

Pandi Thevar (Died)

- 1.Meenakshi Sundram
- 2.Neelamegam
- 3.Kannusamy
- 4.Sri Krishnan
- 5.Kaliyammal
- 6.Mariyammal
- 7.Ariyanachi
- 8.Ramalakshmi
- 9.Soorammal

... Petitioners/Appellants

Vs

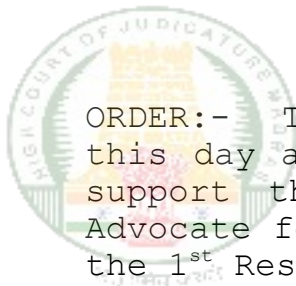
- 1.Arulmigu Chokanathan Temple
Chockalingapuram,
Rep by its Administrative Officer,
Aruppukkottai, Virudhunagar District.

- 2.Ganambal
- 3.Rajamannar
- 4.Chinnasamy
- 5.Kamala

... Respondents/Respondents

Prayer in CMP(MD)SR.NO.9659 of 2020 :- Civil Miscellaneous Petition filed under Order 41 rule 19 of Code of Civil Procedure, to set aside the dismissal order and restore the above Second Appeal No.1623 of 1999 which was dismissed for non prosecution on 18.11.2019.

Prayer in SA.No.1623 of 1999:- Second Appeal filed under Section 100 of C.P.C., against the Judgment and Decree dated 26.06.1998, made in A.S.No.127 of 1996 on the file of the Subordinate Court, Virudhunagar, reversing the Judgment and Decree, dated 12.09.1995, made in O.S.No.33 of 1989 on the file of the District Munsif Court, Aruppukkottai.



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.A.V.Arun, Advocate for the Petitioner and of Mr.S.Parathasarathy, Advocate for the 1st Respondent, this Court made the following order:-

1. This Petition is filed to condone the delay of 58 days in filing the petition to restore S.A.No.1623 of 1999.

2. Heard the learned counsel for the Petitioners and Mr.S.Parthasarathy, learned counsel who appears for R1.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, delay is condoned and this petition is ordered accordingly. The restoration Petition which is in SR stage is also ordered. The Second appeal restored to file.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

- 1.The Subordinate Judge, Virudhunagar.
- 2.The District Munsif, Aruppukottai.

Copy to:-

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

ORDER DATED : 08/02/2022

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ORDER

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CMP (MD) SR.No.9659 of 2020
in
SA.No.1623 of 1999

Giving direction and etc.
as stated within.

RD(05.04.2022) 2P 5C

<https://hcservices.ecourts.gov.in/hcservices/>