



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
CIVIL APPELLATE JURISDICTION**

**TUESDAY, THE FIRST DAY OF FEBRUARY TWO THOUSAND AND TWENTY TWO
PRESENT**

THE HON`BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

CMP(MD). NO.387 OF 2022

IN

SA(MD).NO.557 OF.2021

Shanmugam ... Petitioner/Appellant/
Appellant/Plaintiff

Vs

Mohamed Farook ... Respondent/Respondent/
Respondent/Defendant

Prayer in CMP(MD). No.387 of 2022:-

Petition filed under Order 41 rule 19 of CPC to restore the appeal in S.A.(MD). No.557 of 2021, which was dismissed for default on 14-12-2021 and dispose of the same on merits and to pass such other further order or orders as this Honourable court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in SA(MD).No.557 Of.2021:-

Second Appeal filed under Section 100 of CPC challenging the judgment and decree dated.11.01.2020. Made in A.S.No. 51 of 2018 on the file of the Additional District Judge, Fast Track Court, Paramakudi confirming the judgement and decree dt.31.07.2018 in O.S.No.46 of 2014 on the file of the Sub Court, Paramakudi.

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.R.G.Sankar Ganesh, Advocate for the Petitioner, this Court made the following order:

This petition has been filed to restore the S.A(MD)No.557 of 2021 which was dismissed for default on 14.12.2021 and dispose of the same on merits.

2.Heard the learned counsel for the petitioner and perused the materials available on record.

3.For the reasons assigned in Paragraph No.3 of the accompanying affidavit and on being satisfied with the same, this Petition is allowed.



4. Registry is directed to restore the Second Appeal and list the matter for hearing on 25.02.2022.

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// True Copy //

Sd/-

Assistant Registrar (CS-I)

/ /2022

Sub Assistant Registrar(CS)

To

1. The Additional District Judge,
Fast Track Court, Paramakudi
2. The Sub Judge,
Paramakudi.
3. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER DATED : 01/02/2022

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ORDER
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CMP(MD).No.387 of 2022

in
SA(MD).No.557 Of.2021:-

Giving direction and etc.
as stated within.

PS (CO)
GC(11.02.2022) 2P 4C