



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Nineteenth day of December Two Thousand and Twenty Two

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PRESENT

The Hon`ble Mr.Justice S.SOUNTHAR

CMP(MD) . No.1354 of 2022
in
S.A.(MD)No.656 of 2009

Dhasan (Died)
Annamuthammal (Died)

D.Dhasan D/o Late Annamuthuammal
Door No.188/8, Veerambal Village and Post
Mudukulathur Taluk,
Ramanathapuram District

... Petitioner/Proposed Appellant

Vs

1 Hepsi
2 Gnanavolivu ... Respondents 1 & 2/ Respondents 1 & 2.
3 Aruldas ... 3rd Respondent/3rd Respondent

Prayer in CMP(MD) . No.1354 of 2022:-

Civil Miscellaneous Petition filed under order 41 Rule 19 of CPC., Pleased to set aside the order dated 13.12.2021 and restore the SA(MD) No. 656 of 2009 on the file of this Honourable Court and pass such further or other orders as this Honourable court may deem fit and proper in the facts and circumstances of the case and thus render justice.

Prayer in S.A.(MD)No.656 of 2009:-

Second Appeal filed under Section 100 of CPC against the judgment and decree dated 25.11.2008 made in A.S.No.5 of 2006 on the file of the Sub Court, Paramakudi confirming the judgment and decree dated 09.12.2005 made in O.S.No.61 of 1998 on the file of the District Munsif Court, Mudukulathur.

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 M/s. S. Siva Thilakar, Advocate for the Petitioner and of Mr. M.P. Senthil, Advocate for the 1st & 2nd respondents, this Court made the following



"The present Civil Miscellaneous Petition has been filed to set aside the order, dated 13.12.2021 and restore the second appeal in S.A. (MD) No. 656 of 2009 on the file of this Court.

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2. Having satisfied with the reasons assigned in the affidavit filed in the support of this petition, this Civil Miscellaneous Petition stands allowed.

3. Registry is directed to restore the second appeal on file."

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/01/2023

Sub Assistant Registrar (CS)

TO

1. The Sub Court, Paramakudi.
2. The District Munsif Court, Mudukulathur.

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 : 19/12/2022

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ORDER

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CMP(MD) . No.1354 of 2022
in
S.A. (MD) No. 656 of 2009

Giving direction and etc.
as stated within.

RD(04/01/2023) 2P 5C

<https://www.mhc.tn.gov.in/judis>