



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

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Wednesday, the Thirtieth day of March Two Thousand and Twenty Two

PRESENT

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

CMP (MD) No.1981 of 2022

in

CMP (MD) No.6124 of 2018

in

SA (MD) No.215 of 2013

Karuppiah

... Petitioner/Petitioner/Appellant

Vs

1.S.Andiyappan (Died)

2.Kalaiyan

3.Selvaraj

4.Chinnan

5.S.R.Thevar

6.A.Adhammai

7.Thavamani

... Respondents/Respondents/ Respondents

Prayer in CMP(MD)No.1981 of 2022 :- Civil Miscellaneous Petition filed under Section 41 Rule 19 of C.P.C., to restore the CMP(MD) No.6124 of 2018 dated 22-09-2020 which was dismissed for non payment of cost and thus render justice.

Prayer in CMP(MD)No.6124 of 2018:- Civil Miscellaneous Petition filed under Section 41 Rule of C.P.C., to restore the dismissed Second Appeal against the Appellant on 27.06.2018.

Prayer in SA(MD)No.215 of 2013:- Second Appeal filed under Section 100 of the Code of Civil Procedure, against the judgment and decree made in A.S.No.4 of 2012 on the file of Sub Court, Devakottai dated 13.07.2012, reversing the Judgment and Decree made in O.S.No.44 of 2010 on the file of the Principal District Munsif cum Judicial Magistrate Court, Karaikudi, dated 31.10.2011.

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.B.A.Muruganantham, Advocate for the Petitioner, this Court made the following order:-

"This Petition is allowed.

Sd/-

Assistant Registrar (CO)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

- 1.The Subordinate Judge,
Devakottai.
- 2.The Principal District Munsif
cum Judicial Magistrate,
Karaikudi.

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 : 30/03/2022

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ORDER

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CMP (MD) No.1981 of 2022
in
CMP (MD) No.6124 of 2018
in
SA (MD) No.215 of 2013

Giving direction and etc.
as stated within.

RD(04.04.2022) 2P 5C