



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the First day of August Two Thousand and Twenty Two

WEB COPY

PRESENT:

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD)No.6614 of 2021
in
S.A(MD) No.10 of 2021

Mani

... Petitioner/Appellant.

Vs

1 Selvi

2 The District Collector,
Pudukottai District, Pudukottai.

3 The Tahsildar,
O/o.The Tahsildar Aranthangi Taluk
Pudukottai District.

4 Samivel Thevar

... Respondents/Respondents.

Prayer in CMP(MD)No.6614 of 2021:-This petition is filed under order 41, Rule 19 of C.P.C. to set aside the order dated 03.02.2021 in S.A.NO.10 of 2021 which was dismissed for non-prosecution and restore the same and thus render justice.

Prayer in S.A(MD)No.10 of 2021: Second Appeal filed under Section 100 of C.P.C., to set aside Judgment and Decree dated 29.10.2018 in A.S No. 123 of 2017 passed by the Honourable Sub Court, Aranthangi, reversing the Judgment and decree dated 04.04.2017 in O.S No. 125 of 2007 on the file of the District Munsif Court, Aranthangi, Pudukottai.

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 Mr.K.Baalasundharam, Advocate for the Petitioner, this Court made the following order:

This application is filed to set aside the order dated 03.02.2021 passed in SA(MD) No.10 of 2021 and to restore the above Second Appeal on file.



2. When the Second Appeal was taken up for hearing on 21.01.2021, 29.01.2021 and 03.02.2021, there was no representation for the appellant and therefore the Second Appeal was dismissed for non-prosecution. For restoring the same, the present petition is filed. The restoration application was also presented on 01.03.2021 and therefore, the restoration application is ordered.

3. SA (MD) No.10 of 2021 is restored on file.

Sd/-

Assistant Registrar (CO)

// True Copy //

/08/2022

Sub Assistant Registrar (CS)

TO

1. The Sub Judge, Aranthangi.
2. The District Munsif, Aranthangi, Pudukottai.

Copy to: The Section Officer, Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 01/08/2022

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RESTORATION ORDER
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CMP (MD) No.6614 of 2021
in
S.A (MD) No.10 of 2021

Giving direction and etc.
as stated within.

SS/12/08/2022/ 2P 4C