



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Twenty Second day of June Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD)No.2949 of 2022

in

AS(MD)No.126 of 2019

Kumarasamy

... Petitioner/Appellant

Vs

Chandra

... Respondent/Respondent

Prayer in CMP(MD)No.2949 of 2022 :- Civil Miscellaneous Petition filed under Order 41 Rule 19 of C.P.C., to set aside the order of dismissal for default made on 25.02.2022 and to restore the appeal to file for disposal on merits and thus render justice.

Prayer in AS(MD)No.126 of 2019:- Appeal Suit is filed under order 41 Rule 1 and Section 96 of the Civil Procedure Code, against the Judgment and Decree in O.S.No.53 of 2017 on the file of the III Additional District Court, Thanjavur at Pattukottai, dated 29.03.2019.

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.R.Sethupathy, Advocate for the Petitioner and of Mr.D.R.Murugesan, Advocate for the Respondent, this Court made the following order:-

"Heard both sides being satisfied with the reasons stated in the accompanying affidavit this petition is allowed and the main appeal suit is restored to file."

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)



TO
The II Additional District Judge,
Thanjavur at Pattukottai.

WEB COPY
Copy to:

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

ORDER DATED : 22/06/2022

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ORDER
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CMP (MD) No.2949 of 2022
in
AS (MD) No.126 of 2019

Giving direction and etc.
as stated within.

ks (CO)
TR(27.06.2022) 2P 5C