



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Tenth day of October Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

WEB COPY

CMP(MD) . No.2709 of 2021

in

SA(MD)No.337 of 2018

M.Varghese

... Petitioner/Appellant

Vs

S.Alexander (Died)

1.Josephine Kala

2 Azhika

3 Adarshiya

... Respondents/Respondents

Prayer :- CMP(MD) . No.2709 of 2021

Civil Miscellaneous Petition filed under order 23 Rule 4 of CPC
Pleaded to bring on record 1) Josephine Kala, 2) Azhika and 3)
Adarshiya as legal heirs of the sole deceased respondent and rank
them as additional respondents 2 to 4 in the Second Appeal .

Prayer : SA(MD)No.337 of 2018

Second Appeal filed under section 100 of CPC to set aside the
Judgment and Decree passed by the Principal Subordinate court,
Nagercoil in AS.No.19 of 2015 dated 17.01.2018 reversing the
judgment and decree passed in O.S.No.7 of 2011 on the file of the
Principal District Munsif Court, Nagercoil dated 30.03.2015 and
allow the appeal and thus render justice.

Order:

This Civil Miscellaneous Petition having been posted in the
default list on this day, and this court having been granted three
weeks time from 10.10.2022 for compliance of the defects viz Batta
not filed Respondents 1 to 3, but the counsel for the petitioner
failed to comply the above defect within the time stipulated by
this court Hence the petition and Second Appeal stands dismissed

Sd/-

Assistant Registrar(CO)

// True Copy //

/12/2022

Sub Assistant Registrar(CS)



CMP(MD).



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TO

1. The Subordinate Judge,
Nagercoil.

2. The Principal District Munsif,
Nagercoil.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 10/10/2022

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ORDER
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CMP(MD) . No.2709 of 2021
in
SA (MD) 337 of 2018

Giving direction and etc.
as stated within.

MK/06.12.2022/2P/4C