



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Fourteenth day of September
Two Thousand and Twenty Two

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PRESENT
The Hon`ble Mr.Justice N.SESHASAYEE

C.M.P. (MD) . No.8364 of 2022
in
S.A. (MD) . No.1317 of 1999

1. Kesara Beevi	1 st Petitioner / 1 st Appellant
2. Anvar Jahan(died)	2 nd Appellant
3. Liyakathali	
4. Amsath Fathima	
5. Basira Banu	
6. Sajitha Begam	3 to 6 Petitioners / Proposed 3 to 6 Appellants

Vs

1 Jaina Bevi (Died)
2 Abdul Wahab,
3 Noorulmahjoddhu,
4 Mohamed Iliyas,
5 Mohamed Salibu,
6 Bajar Nissa,
7 Illmunissa,
8 Sarpun Nissa,
9 Seeni Nainu Mohamed,
10 Kalil Rahman,
11 Abdul Rahim,

Respondents 2 to 11/Respondent 2 to 11

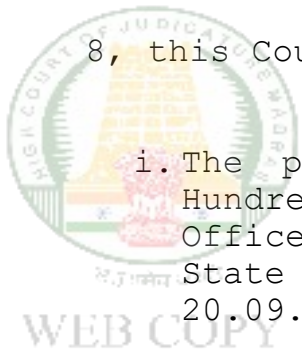
Prayer in C.M.P. (MD) . No.8364 of 2022 in S.A. (MD) . No.1317 of 1999 :-

This Petition filed under Order 41, Rule 19 of C.P.C., set aside the order dated 03-03-2021 and restore the second appeal in S.A. No. 1317 of 1999, which was dismissed for default.

Prayer in S.A. (MD) . No.1317 of 1999 :-

This Second Appeal filed under Section 100 of C.P.C against the decree and Judgement dated 07.12.1998 in AS No.60 of 1997 on the file of Addl. District Judge and Chief Judicial Magistrate, Ramanathapuram confirming the decree and Judgement dated 30.12.1996 made in OS No.19 of 1996 on the file of Sub Judge, Ramananathapuram.

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. Kumaravel, Advocate for the Petitioners and of Mr. J. Madhu, Advocate for the respondents 5 to



8, this Court made the following order:

i. The petitioners shall pay a sum of Rs.500/- (Rupees Five Hundred only) to the credit of the District Siddha Medical Officer, CCRIPKM (Account No.10767823177, IFSC: SBIN0000898, State Bank of India, Periyakulam Branch) on or before 20.09.2022; and

ii. The moment the restoration application is allowed, the appellants be ready to argue the main appeal itself, since the defaulter may not be given an additional privilege.

If any one of the two conditions are not complied, this Civil Miscellaneous Petition will stand dismissed automatically.

2. Post on 21.09.2022 'for reporting compliance'.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/09/2022

Sub Assistant Registrar(CS)

To

1. The Addl. District Judge and Chief Judicial Magistrate, Ramanathapuram

2. The Sub Judge, Ramanathapuram.

Copy to:

1. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.
2. The Section Officer,
A.E. Section,
Madurai Bench of Madras High Court, Madurai.
3. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai.
4. The District Siddha Medical Officer,
CCRIPKM State Bank of India, Periyakulam Branch
Siddha Clinic
Madurai Bench of Madras High Court, Madurai.



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ORDER DATED : 14/09/2022
HEARING DATE : 21/09/2022



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ORDER

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CMP(MD). No.8364 of 2022

in

S.A. (MD) . No.1317 of 1999
Giving direction and etc.
as stated within.

KB (19.09.2022) 3P 8C