



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Ninth day of July Two Thousand and Twenty Two

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PRESENT
The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) . No.5211 of 2022
in
AS(MD)269 of 2008

1. R. Jeeva (Died) ... ---- /1st Appellant
2. Mokka Veeramal ... 2nd Petitioner/2nd Appellant
3. Malaichamy
4. Ragu ... Petitioners 3 & 4/Proposed Appellants
3 & 4/LRs of the 1st Appellant
Vs
Tamil Selvi ... Respondent/Respondent

Prayer :-CMP(MD) . No.5211 of 2022

Petition filed under order 41 Rule 19 of Code of Civil Procedure to set aside the order of dismissal for abatement dated 14.06.2017 passed in A.S. (MD). No. 269 of 2008, on the file of this Honourable Court and restore the same.

Prayer in AS(MD). 269/ 2008 :

Appeal Suit is filed under section 96 of the Civil Procedure Code, to Set-aside the Decree and the Judgment dated 26/06/2008 passed in OS.109 of 2004 by the Additional District and Sessions Judge, Fast Track Court Dindigul and to dismiss the Suit OS.109 of 2004.

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 M/S.Chamundi Bose Advocate for the Petitioner , and this Court made the following order:

" The learned Counsel for the petitioners would submit that the earlier order of this Court, dated 14.07.2022 has been duly complied with and in this regard, he has filed a memo for proof of compliance along with E-Challan copy. The said memo is recorded.



CMP(MD).



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2. In view of the compliance of the earlier order, dated 14.07.2022, this civil miscellaneous petition is allowed and the appeal in AS.(MD)No.269 of 2008 is restored. "

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Sd/-

Assistant Registrar(CS-II)

// True Copy //

/08/2022

Sub Assistant Registrar(CS)

TO

The Additional District and Sessions Judge,
Fast Track Court,
Dindigul.

Copy to:

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

ORDER DATED : 29/07/2022

Next Date : 08/08/2022

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Restore
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CMP(MD) . No.5211 of 2022
in
AS(MD)No.269 of 2008

Giving direction and etc.
as stated within.

SRR(CO)
TR(04.08.2022) 2P 5C