



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Eighth day of December Two Thousand and Twenty Two

PRESENT
The Hon`ble Mrs.Justice N.MALA

CMP(MD)No.8608 of 2022
in
AS(MD)No.172 of 2011

1.Thenammai Achi (Died) ... 1st Appellant

2.Deivanai Achi

3.Subaramaniyan

4.Veerappan

5.Yegappan

... Petitioners 2 to 5 /
Appellants 2 to 5

Vs

V.Muthuveerappppa Chettiar(Died)

1.P.Sanniyasi

2.P.Anjappan

3.L.Lakshmanan

4.M.Murugan

5.C.Ramaiah

6.Paramasivam

7.A.Mani

8.C.Karuppaiah

9.Kamala Ramanathan

10.Ramesh

11.Vasanth

12.Meenakshi

13.Thenmozhi

14.Malar @ Malarvizhi

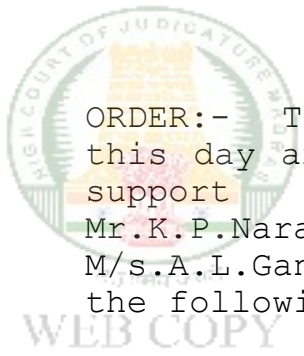
15.Thirumalai

16.Lakshmanan @ Karuppaiah

... Respondents /
Respondents

Prayer in CMP(MD)No.8608 of 2022 :- Civil Miscellaneous Petition filed under Order 41 R 19 of C.P.C., pleased to set aside the order passed by this Hon'ble Court in A.S(MD)No.172 of 2011 dated 22.07.2022 and RESTORE the same on the file and thus render justice.

Prayer in AS(MD)No.172 of 2011:- First Appeal filed under Section 96 of the Civil Procedure Code against the decree and judgment made in O.S.No.116 of 2004, dated 30.07.2010, on the file of Principal District Judge, Pudukkottai.



ORDER:- This Civil Miscellaneous Petition coming on for () on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.P.Narayanakumar, Advocate for the Petitioner and of M/s.A.L.Ganthimathi, Advocate for the 9th Respondent, this Court made the following order:-

"This petition is filed to restore the appeal on file, which was dismissed for non-prosecution on 22.07.2022.

2.I have gone through the affidavit filed in support of the petition and I am satisfied with the reasons stated therein. Therefore, this Petition is allowed and the appeal is restored on file."

Sd/-

Assistant Registrar (CS II)

// True Copy //

/12/2022

Sub Assistant Registrar(CS)

TO

The Principal District Judge,
Pudukkottai.

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.

ORDER DATED : 08/12/2022

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ORDER
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CMP (MD) No.8608 of 2022
in
AS (MD) No.172 of 2011

ED(22.12.2022) 2P 4C