



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction



Thursday, the Twenty Seventh day of October Two Thousand and Twenty
Two

PRESENT

The Hon`ble Mr. Justice K. MURALI SHANKAR
CMP(MD) . No.8766 of 2022

in

A.S(MD) No.161 of 2015

WEB COPY

- 1.A. Parimala Gowri (Died),
 - 2.P. Azhagesan S/o. Paul Raj,
 - 3 Siva Balan Ganesh,
S/o. Azhagesan
 - 4.Sasidharan
S/o.Azhagesan
- All are residing at No. 630 L/7,
15th South Street, Thiyagaraja Nagar,
Tirunelveli District.

... Petitioners/Appellants 2 to 4

Vs

K. Devendra Krishnan,
S/o. Kuppusamy Das, No. 26 State Bank
Colony, N.G.O. Colony, Tirunelveli District.

... Respondent/Respondent/Plaintiff

Prayer in CMP(MD) . No.8766 of 2022:-

This Civil Miscellaneous Petition filed under order 41 Rule 19 of Civil Procedure Code to set aside the order passed by this Honourable Court in A.S. (MD). No. 161 of 2015 dated 22.07.2022 and RESTORE the same on file and thus render justice.

Prayer in A.S(MD) .No.161 of 2015:-

Appeal Suit filed under Section 96 r/w Order 41 Rule 1 of the Civil Procedure Code, against the Judgment and decree, dated 11.12.2014 mad in O.S.No.81 of 2011, on the file of the III Additional District Court, Tirunelveli.

ORDER:- This Civil Miscellanous 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. K.P. Narayanakumar, Advocate for the Petitioners and of M/s.T. Selvan, Advocate for the respondent, this Court made the following order:

" The Civil Miscellaneous Petition has been filed seeking orders to set aside the order, dated 22.07.2022 in A.S.(MD)No.161 of 2015 and restore the same.

<https://www.mhc.tn.gov.in/judis>

2. The learned counsel for the respondent has not raised any serious objections allow this petition.



3. Heard both sides and perused the records.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed. Registry is directed to restore the appeal and list the same before this Court on 16.11.2022 for final disposal".

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Sd/-

Assistant Registrar (CO)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

TO

1. The III Additional District Judge,
Tirunelveli.

Copy to:

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

ORDER DATED : 27/10/2022

HEARING DATED: 16.11.2022

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ORDER
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CMP(MD) . No.8766 of 2022
in
A.S(MD)No.161 of 2015

Giving direction and etc.
as stated within.

MGJ(03.11.2022) 2P 5C