



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.8313 of 2022
in
CROS.OBJ(MD)No.7 of 2022

Rajasingh ... Petitioner/Petitioner

Vs

1.Kokila
Robin Jacob(died)
2.Madhan Bennet
3.Alwin Jacob
4.S.Deeban Rajesh
5.Jenolin Sweetly Ganambai
6.Minor.Austin Immanuel
Through his Court Guardian
J.Rajendran, Advocate
Tuticorin.

... Respondents/Respondents

Prayer in CMP(MD)No.8313 of 2022 :- Civil Miscellaneous Petition filed under order 41 Rule 19 of CPC., to set aside the Order dated 10.08.2022 dismissing the above Petition for non-payment of batta and restore the same and render justice.

Prayer in Cros.Obj(MD)No.7 of 2022:- Cross Objection is filed under Order 41 Rule 22 of Civil Procedure Code, to set aside the judgment and decree dated 27.04.2017 passed in O.S.No.5 of 2012 on the file of the 2nd Additional District Court, Tuticorin in so far as the disallowed portion concern.

Prayer in AS(MD)No.15 of 2018:- Appeal Suit filed under Section 96 of Civil Procedure Code, to set aside the judgment and decree dated 27.04.2017 passed in O.S.No.5 of 2012 on the file of the 2nd Additional District Court, Tuticorin in so far as the disallowed portion concern.

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 Mr.G.Prabhu Rajadurai, Advocate for the Petitioner and of Mr.M.P.Senthil, Advocate for the 1st to 3rd Respondents, this Court made the



following order:-

"This petition is filed to restore the cross objection, which was dismissed for non-payment of batta.

2.All the respondents in the petition are served. The respondents 1 to 3 are represented by the counsel Mr.M.P.Senthil and for the other respondents 4 to 6, proof of service of private notice is filed and their names are printed in the cause list.

3.Since steps have already been taken, this petition is allowed and the cross objection is restored on file."

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/12/2022

Sub Assistant Registrar(CS)

TO

The II Additional District Judge,
Tuticorin.

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. (2 COPIES)

ORDER DATED : 08/12/2022

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ORDER

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CMP(MD)No.8313 of 2022

in

Cross.Obj(MD)No.7 of 2022

Giving direction and etc.
as stated within.

RD/VRS(20/12/2022) 2P 5C