



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Fifth day of November Two Thousand and Twenty
Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD) . No.9458 of 2022
in
AS(MD)No.165 of 2022

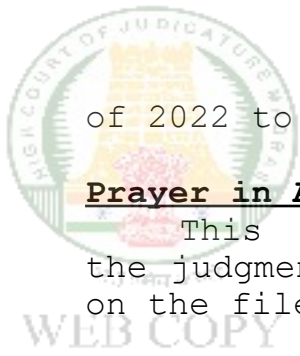
S.Mumtaj Begum ... Petitioner/Appellant
- Vs. -

1. Syed Abubackar Badhusa Levvai
2. K.M.Mariam Beevi
3. Mumtaj Begum
4. Raaviyathu Bazaria
5. Syed Fathima Kani
6. M.M.V.Thangammal @ Mohammed Sulaihal
7. Jennathul Firdhoush Banu
8. A.S.Syed Ibrahim Levvai
9. A.S.Yasmin Banu
- 10.A.S.Syed Ravya Ammal
- 11.A.S.Faizathul Chittikarani
12. A.S.Jamin Abdul Kaboor
13. A.S.Feroz Khan Levvai
14. Amjeed Hussain Levvai
15. Ithiris Ibrahim Levvai
16. Saliha Banu
17. Jahir Hussain Levvai
18. Mohammed Ibrahim Levvai
19. Samsunnissa Begum
20. Khadar Basha Levvai
21. Dahir Sulthan
22. Sayyed Ibrahim
23. Mohammed Varusai Kani Levvai
24. Mohammed Suleiman
25. Fathima Jinnah
26. Jai Numbukani
27. Kulandai @ Chidambaram
28. Karuppaiah @ Sekar
29. Kala W/o.Karuppaiah @ Sekar
30. Sarbunnissa Begum

... Respondents/Respondents

Prayer in CMP(MD) . 9458/ 2022 :

This Civil Miscellaneous Petition to set aside the order
dated 17/11/2022 and restore the appeal suit in A.S. (MD). No. 165



of 2022 to file and thus render justice.

Prayer in AS No.165 of 2022:

This Appeal Suit filed under section 96 C.P.C., to set aside the judgment and decree passed in OS No.44 of 2005 dated 06.07.2012 on the file learned Additional District Court, Ramanathapuram.

ORDER: -

This 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.T.R.Jeyapalam, Advocate for the Petitioner and of Mr.M.Sengu Vijay, Advocate, for R4 to 6, 8 to 10, 12, 28 & 29 and Mr.S.Anwar Sameem, Advocate for the 13th Respondent, this Court made the following order:

The above Civil Miscellaneous petition has been filed to set aside the order dated 17.08.2022 made in AS(MD) no.165 of 2022 which was ordered to be dismissed for non-Prosecution and restore the same on file.

2.Heard the learned Counsel appearing for the petitioners.

3.The learned Counsel appearing for the R4 to 6, 8 to 10, 12 & 13 respondent would submit that they are not having any objection to allow this petition.

4.Considering the above, this Civil Miscellaneous petition is allowed and the Registry is directed to restore the appeal on file.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/12/2022

Sub Assistant Registrar(CS)

CSM
TO

The Additional District Court,
Ramanathapuram.

Copy to:

1.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai

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



CMP(MD).



22

2.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai

WEB COPY

ORDER DATED : 25/11/2022

=====
Restored
=====

CMP(MD) . No.9458 of 2022
in
AS(MD)No.165 of 2022

Giving direction and etc.
as stated within.

AMS(19.12.2022) 3P 5C