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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Fifteenth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD). No.828 of 2017
in
A.S.(MD)No.105 of 2007

Sivakamasundari

... Petitioner/1st Respondent

Vs

S.K.Krishnamoorthy (Died)

1. Jeyalakshmi

2.S.K.Kalyanam,

3.S.K.Karthikeyan

4.Shanthi Thiruganam,

5.S.K.Dharmarajan(Died)

6.Iswarya (Daughter)

7.Seenivasan(Son)

(Respondents 6 & 7 are brought on record
as Lrs of the Deceased 5th Respondent vide
court order dated 27/06/2022 made in
CMP(MD)Nos.7296 & 7297 of 2017 made in
AS(MD)No.105 of 2007)

... Respondents/Respondents



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Prayer in CMP(MD)No.828 of 2017:-

This Civil Miscellaneous petition filed under Section 5 of Limitation Act, to condone the delay of 580 days in filing to set aside and restore the above AS(MD) No.105 of 2007 and thus render justice.

Prayer in A.S.(MD)No.105 of 2007:

This Appeal Suit filed under Section 96 of Code of Civil Procedure, to allow the appeal setting aside the Judgment and decree of the Additional District Judge / FTC. No.II, Trichy, dated 31.10.2006 in OS.289/2004 and to decree the said suit as prayed for and thus render justice.

ORDER:- This 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.S.Vinayak, Advocate for the 2nd Respondent and none appeared either in person or by Advocate for the petitioner and 6th and 7th Respondents, this court made the following order:



Since there was no representation for the petitioner for the past four hearings, the matter was directed to be posted under the caption 'for dismissal'. Even today, there is no representation for the petitioner. Hence, this petition is dismissed for default.

Sd/-

Assistant Registrar(CS I)

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/09/2023

Sub Assistant Registrar(CS)

To

The Additional District Judge,
(Fast Track Court No.II),Trichy

Copy to:

1. The Sub Assistant Registrar,
A.E. Section,
Madurai Bench of Madras High Court, Madurai
2. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 15/09/2023

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ORDER

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CMP(MD). No.828 of 2017

in

A.S.(MD)No.105 of 2007

Giving direction and etc.

as stated within.

MGJ(29.09.2023) 3P 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from

17.07.2022