



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )

Wednesday, the Seventh day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.6560 of 2023  
and  
SA(MD)No. 154 OF 2006

AMJATH BEGUM

... PETITIONER/APELLANT

Vs

1 AMEER SULTHAN (DIED)

2.MUMTAJ BEGAM,

3 RAFEENA

4 MINOR RAJITHA

5 MINOR MOHAMMED RAJITH ... RESPONDENTS 2 -5 /RESPONDENTS 2 -5

(RESPONDENTS 2 TO 5 ARE BROUGHT ON RECORD AS  
LRS OF THE DECEASED SOLE RESPONDENT VIDE  
COURT ORDER DATED 20.12.2022 MADE IN MP(MD)  
Nos. 1 TO 3 of 2013 in SA(MD)No.154 of 2006  
BY SSJ).

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to restore the second appeal in S.A.(MD).No.154/2006, after setting aside the order dated 19.01.2023.

PRAYER IN SA(MD)No. 154 of 2006:

Begs to present this Memorandum of second appeal against the judgment and decree passed in A.S.No. 24/2003 of the learned Subordinate Judge, Periyakulam allowing the appeal filled against the judgment and decree dated 27.11.2002 passed in O.S.NO. 171 OF 1998 by the learned District Munsif, Uthamapalayam dismissing the suit.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S R.SURIYANARAYANAN, Advocate for the petitioner, the court made the following order:-



CMP(MD)



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This petition is filed to restore the second appeal in No.154 of 2006, which was dismissed for default on 19.01.2023.

2. It is seen that the petition to condone the delay of 20 days in filing the petition to restore the second appeal in S.A(MD)No.154 of 2006 has already been allowed. Therefore, this petition is allowed and the second appeal in S.A(MD)No.154 of 2006 is restored.

sd/-  
07/06/2023

/ TRUE COPY /

/06/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE SUBORDINATE JUDGE  
PERIYAKULAM.
- 2 THE DISTRICT MUNSIF  
UTHAMPALAYAM.

COPY TO

- 1 THE SECTION OFFICER,  
JUDICIAL SECTION  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SUB ASSISTANT REGISTRAR  
AE SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CMP(MD) No.6560 of 2023  
and  
SA(MD)No. 154 OF 2006  
Date :07/06/2023

PKP/VR/SAR- /12.06.2023/ **2P/5C**