



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Third day of June Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr. Justice P. VELMURUGAN

CMP(MD) . Nos.9183 & 9184 of 2022
in
SA(MD) Nos.781 & 782 of 2006

Kunjammal (Died)

1. R. Kasinathan

2. R. Revathi

... Petitioners/Lr's of 3rd Appellant
(in both MP's)

Vs

1 Pushpa Narasimhan (Died)

2 Vasudevan ... 1st and 2nd Respondent/Respts

3 Krishnamachari ... 3rd Respondent/1st Appellant

4 Lakshmi ... 4th Respondent/2nd Appellant

5 N. Babu @ Vankatadri

6 N. Jeya Chandra .. Respondents 5 & 6

(Respondents 5 and 6 are Brought on record as Lrs of the deceased 1st Respondent vide court order dated 14.12.2022 made in CMP (MD) Nos.11132 to 11137 of 2022 in SA (MD) Nos.781 and 782 of 2006)

Respondents in CMP(MD) 9183/2022 in SA(MD) No.781/2006

1 Pushpa Narasimhan (Died)

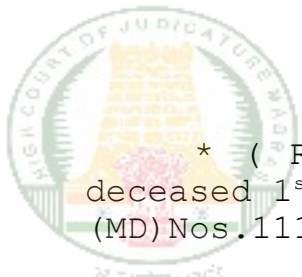
2 Lakshmi ... 1st and 2nd Respondent/Respts

3 Vasudevan ... 3rd Respondent/1st Appellant

4 Krishnamachari ... 4th Respondent/2nd Appellant

5 N. Babu @ Vankatadri

6 N. Jeya Chandra .. Respondents 5 & 6



* (Respondents 5 and 6 are Brought on record as Lrs of the deceased 1st Respondent vide court order dated 14.12.2022 made in CMP (MD)Nos.11132 to 11137 of 2022 in SA (MD)Nos.781 and 782 of 2006)

* * (Memo dt 10.10.2022 (Filed on 28.10.2022) in USR No.30/99 is recorded , and the respondents 2 to 4 are given up vide court dt 19.12.2022 made in CMP(MD) 9183 & 9184/2022 in SA (MD)781 & 782/2006)

Respondents in CMP(MD)9184/2022 in SA(MD)No.782/2006

Prayer in CMP(MD) . Nos.9183 of 2022

Petition filed u/0 41 Rule 19 of C.P.C. To set aside the order dated 21.09.2021 and Restore the S.A. (MD). No. 781 of 2006 and render justice.

Prayer in CMP(MD) . Nos.9184 of 2022

Petition filed u/0 41 Rule 19 of C.P.C. To set aside the order dated 21.09.2021 and Restore the S.A. (MD). No. 782 of 2006 and render justice.

Prayer in SA(MD)No.781/2006

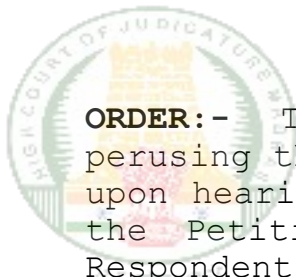
This Second Appeal filed under section 100 of the Civil Procedure code, against the Judgment and Decree dated 03/03/2006 made in A.S.No.66 of 2005 on the file of the IV Additional Subordinate Judge, (District Judge - Trainee), Tiruchirapalli reversing the Judgment and Decree dated 16/02/2004 made in O.S.No.82 of 1996 on the file of the II Additional District Munsif, Tiruchirapalli.

Prayer in SA(MD)No.781/2006

This Second Appeal filed under section 100 of the Civil Procedure code, against the Judgment and Decree dated 03/03/2006 made in A.S.No.66 of 2005 on the file of the IV Additional Subordinate Judge, (District Judge - Trainee), Tiruchirapalli reversing the Judgment and Decree dated 16/02/2004 made in O.S.No.82 of 1996 on the file of the II Additional District Munsif, Tiruchirapalli.

Prayer in SA(MD)No.782/2006

This Second Appeal filed under section 100 of the Civil Procedure code, against the Judgment and Decree dated 03/03/2006 made in A.S.No.67 of 2005 on the file of the IV Additional Subordinate Judge, (District Judge - Trainee), Tiruchirapalli reversing the Judgment and Decree dated 16/02/2004 made in O.S.No.42 of 1996 on the file of the II Additional District Munsif, Tiruchirapalli.



ORDER:- These Petitions coming on for orders on this day on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.Vidhya Maheswaran , Advocate for the Petitioner and of Mr.K.S.Shankar Murali Advocate for the Respondents, this Court made the following order:

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These applications are filed to set aside the order dated 21.09.2021 and restore the second appeals in S.A.(MD)Nos.781 & 782 of 2006.

2. The learned counsel for the respondents has no objection to restore the appeals.

3. These applications are ordered as prayed for and the second appeals are restored on file.

4. Post the second appeal on 14.08.2023.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

TO

1.The IV Additional Subordinate Judge,
(District Judge - Trainee),
Tiruchirapalli

2.II Additional District Munsif,
Tiruchirapalli.

Copy to:

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

ORDER DATED : 23/06/2023

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RESTORE

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CMP(MD) . Nos.9183 & 9184 of 2022
in
SA(MD)No.781 & 782 of 2006

SI (07.07.2023) 3P/ 4C