



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

WEB COPY

Thursday, the Nineteenth day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

CMP(MD). No.13483 of 2023

IN

A.S.(MD)NO.154 OF 2013

Karthikeyan

... Petitioner/ Appellant

Vs

Gurusamy (Died),

R. Santhakumari,
W/o. Ramasamy,
117, Nadar Middle Street,
Thiruthangal.

... Respondent/ Respondent

Prayer :-

Civil Miscellaneous Petition filed Under order 41 Rule 19 of CPC., to set aside the dismissal order dated 28.07.2022 and restore AS(MD). No. 154/2013 on the file of this Honourable Court and thus render justice.

Prayer in AS(MD)No.154 of 2013:-

First Appeal under Section 96 of the Civil Procedure Code against the judgment and decree made in O.S.No.203 of 2012, dated 12.12.2012 on the file of Principal District Court, Virudhunagar District at Srivilliputhur.

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 M/s. A. Sivaji, Advocate for the Petitioner and of Mr. M. Ashok kumar, Advocate for the respondent, this Court made the following order:

This petition is filed to set aside the order dated 28.07.2022 passed by this Court in A.S.(MD)No.154 of 2013.

2. Heard both sides.

3. Being satisfied with the reasons stated in the accompanying affidavit, this petition is allowed on payment of cost of Rs.500/- (Rupees Five Hundred only) to the Siddha Clinic, Madurai Bench of Madras High Court. (A/c No.6865578213, Indian Bank, Madurai Bench of Madras High Court), failing which, this petition shall stand automatically dismissed without reference to this Court. On such payment, registry is directed to restore the First Appeal.

4. Post the main case on 15.11.2023.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/11/2023

Sub Assistant Registrar(CS)



1. The Principal District Judge,
Virudhunagar District at Srivilliputhur.

2. The Officer In-charge,
Siddha Clinic,
Madurai Bench of Madras High Court,
Madurai.

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.

ORDER DATED : 19/10/2023
Hearing Date : 15/11/2023

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RESTORE

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CMP(MD). No.13483 of 2023

IN

A.S.(MD)NO.154 OF 2013

Giving direction and etc.
as stated within.

KB(06.11.2023) 3P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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