



CMP(MD). No.5845 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction
Wednesday, the Twenty Sixth day of July Two Thousand and Twenty Three

PRESENT
The Hon`ble Mr.Justice C. KUMARAPPAN

CMP(MD). No.5845 of 2023
IN
CRP(MD)No.1585 of 2015

1. Meenalochani Alias Meena (Died)
2. Marimuthu Alias Kannan
3. Shanthi
4. Nagarajan
- 5.Vignesh Meenakshi Sundaram
... 2 to 5 Petitioners/ 2 to 5 Petitioners

Vs

- 1.A. Sivasankari (Died)
- 2.A. Vijayasundar Alias Deenan (Died)
...---/1 &2 Respondents
- 3.A. Karthikeyan
...3rd Respondent/3rd Respondent
- 4 Sivakumari
- 5 Arun Kaviya
...4 &5 Respondent/Proposed Respondents 4 &5



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Prayer in CMP(MD). No.5845 of 2023:-

This Civil Miscellaneous Petition is filed under section 9 Rule 9 of C.P.C to set-aside the order and restore the Civil Revision Petition in C.R.P.(MD). No. 1585 of 2015 dated 26.04.2023 which was dismissed for default for non-prosecution.

Prayer in C.R.P.(MD) No.1585 of 2015:-

This Civil Revision petition is filed under Article 227 of the Constitution of India, to prefer against the fair and decreetal order passed in IA(MD) No.758 of 2012 in OS No.646 of 2010 dated 23.06.2015 on the file of the III Additional Sub Judge, Madurai.

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.R.Manickam, Advocate for the Petitioner, this Court made the following order:

“Notice issued to the respondents 3 to 5 returned with an endorsement “Left”. On perusal of the record, the notice was issued to the

last known address of the respondents 3 to 5 and that, only in the said



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address, they have been served earlier and entered appearance in the Civil Revision petition.

2. Being satisfied with the reasons stated in the affidavit filed in support of the petition, this petition stands allowed. The Civil revision petition is restored on file.

3. Registry is directed to post the Civil Revision petition on 09.08.2023."

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/08/2023

Sub Assistant Registrar(CS)

TO:

The III Additional Sub Judge,
Madurai.

Copy to:

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

2. The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai. (2 COPIES)



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ORDER DATED : 26/07/2023

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RESTORED

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in

CRP(MD)No.1585 of 2015

Giving direction and etc.
as stated within.

RD(03/08/2023) 4P / 5 C

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