



CMP(MD). No.9576 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

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

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD). No.9576 of 2023

in

SA.No.477 of 2000

Syed Meera Natchiar

... Petitioner/ Appellant

.Vs.

1 S.P.Naina Mohammed (Died)

2. Balkeesh Beevi

3 Jannath Beevi

4 Shajahan Beevi

5 Ajmeer Haja

6 Mohammed Kasim

7 Bairosbegam

8 Sathik

9 Sithilobabegam

10 Sagarbanu

... Respondent No.2 to 10/
Respondents No.2 to 10



CMP(MD). No.9576 of 2023

Prayer :-

Civil Miscellaneous petition filed under Order 41 Rule 19 R/W Section 151 of CPC to Set aside the order and to Restore the Second Appeal in SA No.477 of 2000 which was dismissed for default on 03.04.2023 on the file of this Court.

Prayer in SA. No.477 of 2000

Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree passed in A.S.No.80 of 1997 on the file of the Principal Sub-Court, Tirunelveli, dated 02.12.1999 reversing the judgment and decree in O.S.No.358 of 1989 on the file of the District Munsif Court, Valliyoor, dated 15.07.1996.

ORDER:- This Civil Miscellaneous petition is 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.B.Balamurugan, Advocate for the Petitioner and of Mr. R.Pon Karthikeyan Advocate for the respondents, this Court made the following order:

This Petition is filed to set aside the order and to restore the above second appeal, which was dismissed for default on 03.04.2023.



CMP(MD). No.9576 of 2023

2. The learned counsel appearing for the respondents has no objection in allowing this petition. Accordingly, this petition is ordered and the second appeal is restored.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/10/2023

Sub Assistant Registrar(CS)

TO

1. The Principal Sub-Court,
Tirunelveli.
2. The District Munsif Court,
Valliyoor.

Copy to:

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



WEB COPY



CMP(MD). No.9576 of 2023

ORDER DATED : 29/09/2023

=====

RESTORATION ORDER

=====

CMP(MD). No.9576 of 2023
in
SA.No.477 of 2000

Giving direction and etc.
as stated within.

DL/(10.10.2023)/ 4P/4C

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