



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Twelfth day of July Two Thousand and Twenty Three
PRESENT

WEB COPY

The Hon`ble Mr.Justice C. KUMARAPPAN

CMP(MD) . No.7935 of 2023

IN

SA(MD) No.145 of 2019

1.P.C.Amaranathan

2.Ramachandran ... Petitioners/Appellants

Vs

1 C.Lingadurai Pandian

2 Mallika

3 Chelladuraichi

4 Ismail ... Respondents/Respondents

Prayer in CMP(MD) No.6207 of 2023:-

This Civil Miscellaneous Petition is filed under section 5 of limitation Act., to pass an order to set aside the order dated 27.03.2023 and restoring the main second Appeal in SA(MD) No.145 of 2019, including all the Civil Miscellaneous Petitions in CMP(MD) No.3413 of 2019 in SA (MD) No.145 of 2019 and other CMP(MD) Nos.6430, 6432 and 6433 of 2019 in the interest natural justice.

Prayer in SA(MD) No.145 of 2019:-

This Second Appeal is filed under section 100 of C.P.C., to prefer against the judgment and decree passed in AS No.27 of 2016 on the file of Principal District Judge, Tirunelveli, dated 09.01.2017 confirming the decree and judgment in OS No.181 of 2011 on the file of Additional Sub Judge, Tenkasi, dated 01.02.2016.

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.K.Kevin Karan, Advocate for the Petitioner and of Mr.V.Meenakshi Sundaram, Advocate for the respondent, this Court made the following order:

This application has been filed to set aside the order dated 27.03.2023 and to restore S.A(MD)No.145 of 2019 including all miscellaneous petition in the above second appeal.



2. The learned counsel for the respondents has no objections for allowing this petition. He only urge this Court for an early hearing of the second appeal.

3. Being satisfied with the reasons stated in the affidavit filed in support of the petition, this petition stands allowed. The second appeal is restored on file.

4. Registry is directed to post the second appeal on 24.07.2023.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

TO

1.The Principal District Judge, Tirunelveli.

2.The Additional Sub Judge, Tenkasi

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. (2 COPIES)

ORDER DATED : 12/07/2023

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ORDER

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CMP(MD) . No.7935 of 2023

IN

SA(MD) No.145 of 2019

Giving direction and etc.
as stated within.

RD(19/07/2023) 2P 6C