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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Twenty Third day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice C. KUMARAPPAN

CMP(MD). No.10040 of 2023

in

SA(MD) No.503 of 2017

T.Kailasam Alias Saroja,
W/o. Raju Adhi Dravidar Colony
Ramanathapuram Village Aniyappur Post
Manapparai Taluk Trichy District. Now
Residing At 23/20g Kalathumedu,
South Muthuraja Street, Puthur,
Tiruchirappalli - 620 017.

... Petitioner/ Appellant/ Accused

Vs

1 Chitta
W/o. Thangavel Rethinapuri Colony
Inungoor Village Kulithalai Taluk Karur
District.

2 Chandra Alias Periyakka,
W/o. Balan Rethinapuri Colony Inungoor
Village Kulithalai Taluk
Karur District.

... Respondent/ Respondent/ Complainant

Prayer in CMP(MD). No.10040 of 2023:-

This Civil Miscellaneous Petition is filed under Order 41 Rule 19 of C.P.C., to set aside the order dated 04.04.2018 in SA(MD). No.503 of 2017 passed by this Honourable Court and to restore the same.

<https://www.mhc.tn.gov.in/judis>



Prayer in SA(MD) No.503 of 2017:-

This Second Appeal is filed under section 100 C.P.C., against the judgment and decree dated 08.07.2009 in A.S.No.151 of 2007 on the file of the II Additional Subordinate Judge, Tiruchirappalli confirming the judgment and decree dated 24.04.2006 made in O.S.No.270 of 2001 on the file of the District Munsif Court, Manapparai.

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. Shangar Murali, Advocate for the Petitioner and of Mr.K.S.Kathiravan, Advocate for the respondents, this Court made the following order:

The learned counsel for the respondents had no serious objection in allowing this petition.

2. Having considered the submission made by the learned counsel for the petitioner and also being satisfied with the averments in the affidavit, this civil Miscellaneous Petition is allowed.

3. Registry is directed to restore the Second Appeal on file and list the matter on 01.09.2023.

4. The learned counsel for the respondents would submit that he is yet to receive the typed set of papers.



5. Hence, the learned counsel for the petitioner is directed to serve the typed set of papers to the respondents counsel.

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Sd/-
Assistant Registrar(CS II)

/09/2023
Sub Assistant Registrar(CS)

TO

1.The II Additional Subordinate Judge,
Tiruchirappalli

2.The District Munsif, Manapparai.

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.



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ORDER DATED : 23/08/2023

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ORDER

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CMP(MD). No.10040 of 2023

in

SA(MD) No.503 of 2017

Giving direction and etc.
as stated within.

MK/30.08.2023 4P 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023