



CMP(MD). No.15004 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Twenty Third day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

CMP(MD). No.15004 of 2023

in

AS(MD) No.81 of 2018

Devakumaran

... Petitioner/Petitioner

Vs

1 A.S. Maniyam (Died)

2 A.S.Malliga

3 S.Raja Arunachalam

4 A.Usha Malathi

5 R.Jeya Chitra

6 S.Tamil Selvi

7 M.Indira Priyadarshini

... Proposed Respondents 2 to 7 /

Lr's of Respondent No.1

Prayer in CMP(MD). No.15004 of 2023

Civil Miscellaneous Petition filed under order 41 Rule 19 of CPC to set aside the order dated 28.03.2022 and restore the A.S.No.81 of 2018 on the file of this Honourable Court and thus render justice.

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



CMP(MD). No.15004 of 2023

Prayer in AS(MD) No.81 of 2018

Appeal Suit filed under Section 96 of the C.P.C. against the judgment and decree of the III Additional District Judge, Tirunelveli in O.S. No.11 No.2008 dated 30.01.2018.

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.S.Rajaseakar Advocate for M/S.Lajapathi Roy and Asso. for the Petitioner and of Mr.T.Lenin Kumar Advocate for the 2nd to 7th Respondents, this Court made the following order:

This petition is filed to set aside the order dated 28.03.2022 and to restore the A.S.No.81 of 2018 on the file of this Court.

2. Being satisfied with the reasons stated in the accompanying affidavit, this petition is allowed.

3. The Registry is directed to restore the appeal suit and post the case for final hearing on 08.12.2023.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)



CMP(MD). No.15004 of 2023

TO

The III Additional District Judge,
Tirunelveli

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 : 23/11/2023
HEARING DATE : 08/12/2023

=====

Restore

=====

CMP(MD). No.15004 of 2023

in

AS(MD) No.81 of 2018

Giving direction and etc.
as stated within.

MK/01.12.2023 3P 5C

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