



CMP(MD). No.8602 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Tenth day of August Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice C. KUMARAPPAN

CMP(MD). No.8602 of 2023

in

SA(MD) No.460 of 2017

K.Suyambuthurai

... Petitioner/ Appellant

Vs

Sornam(Died)

1. Rajam

2 K.Panneerselvam

... Respondents/ Respondents

Prayer in CMP(MD). No.8602 of 2023

Civil Miscellaneous Petition filed under order 41 Rule 19 of CPC To set aside the order dated 21-04-2023 passed in S.A.(MD).No.460 of 2017 which was dismissed for non-prosecution and restore the same and pass such further of other orders as this Hon`ble Court may deem fit in the circumstances of the case, and thus render justice.

Prayer in SA (MD)No.460 of 2017

This Second Appeal is filed under Section 100 of the Code of Civil Procedure, 1908 against the Judgment and Decree of the Court of the Principal Subordinate

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



CMP(MD). No.8602 of 2023

Court, Nagercoil, dated 17.04.2017 passed in A.S.No.19 of 2014 confirming the Judgment and Decree of the Court of the II Additional District Munsif, Nagercoil , dated 06.12.2013 passed in O.S. No.666 of 2006.

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.D.Saravanan Advocate for the Petitioner and of Mr.V.Meenakshi Sundaram Advocate for the 1st and 2nd Respondent, this Court made the following order:

No serious objection has been raised by the respondents for restoring the Second Appeal.

2. Having considered the submission made by the learned counsel for the petitioners and also being satisfied with the averments in the affidavit, this civil Miscellaneous Petition is allowed and the Second Appeal is ordered to be restored.

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

Sd/-

Assistant Registrar (CS I)

// True Copy //

/08/2023

Sub Assistant Registrar(CS)

ebsi



CMP(MD). No.8602 of 2023

TO
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- 1.The Principal Subordinate Judge,
Nagercoil.
- 2.The II Additional District Munsif,
Nagercoil.

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)



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CMP(MD). No.8602 of 2023

BEFORE THE MADURAI BENCH OF
MADRAS HIGH COURT

Hon`ble Mr.Justice
C. KUMARAPPAN

ORDER DATED : 10/08/2023
Hearing Date : 01/09/2023

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Restore
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CMP(MD). No.8602 of 2023
in

SA(MD)No.460 of 2017

Giving direction and etc.
as stated within.

KSR/23.08.2023 4P 6C

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