



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Twentieth day of March Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) . No.10601 of 2022
in
AS(MD)No.177 of 2010

1.R.Ramasamy (Died)
2.R.Rajendran
3.R.Senthil ... Petitioners 2 & 3/Appellants 2
4.R.Ramarathinam ... 4th Petitioner/Proposed 4th APPELLANT

Vs

1 R. Krishnasamy(Died)
2 Ms.Gandhi Mathi
3 Umavathi
4 Thirumalaisamy
5 Saraswathi ... Respondents 2- 5/Respondents 2-5

Prayer :- CMP(MD) . No.10601 of 2022 Petition filed under order 41 Rule 19 of Civil Procedure Code to set aside the order of dismissal for default made on 22-07-2022 and to restore the appeal to file for disposal on merits and thus render justice.

Prayer: - AS(MD) NO.177 of 2010

First Appeal filed under section 96 of the Civil Procedure Code against the decree and judgment made in O.S.No.74 of 2008, dated 17.03.2010, on the file of the Additional District Judge, Fast Track Court, Dindigul.

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.A.R.Sethupathy , Advocate for the Petitioner and of Mr.M.R.Sreenivasan Advocate for the Respondents 2 to 5, this Court made the following order:



WEB COPY

CMP(MD). N



22

" **Heard both sides**
This petition is ordered and the above said appeal is
restored on file"

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

TO

The Additional District Judge,
Fast Track Court,
Dindigul

Copy to:

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

ORDER DATED : 20/03/2023
Next Date : 29/03/2023

=====
Restore
=====

CMP(MD) . No.10601 of 2022
in
AS(MD)No.177 of 2010

Giving direction and etc.
as stated within.

RD (23/03/2023) 2P 3C