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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Twenty Eighth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD). No.10619 of 2023

in

SA(MD)No.197 of 2005

Adi Dravidar Uravinmurai MakKal
Through It Present President
Muthu
Son of Periyipandi,
Ramasampuram Village,
Aruppukottai Town,
Virudhunagar District.

... Petitioner/ Appellant

Vs

1. Marimuthu Thevar.

2.Aruppukottai Municipality
Through its Commissioner,
Aruppukottai Town ,
Virudhunagar District.

... Respondents/ Respondents

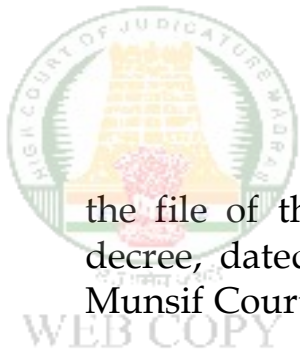
Prayer in CMP(MD)No.10619 of 2023 :-

This Civil Miscellaneous Petition filed under Order 41, Rule 19 of Civil Procedure Code, pleaded to set aside the order dated 01.02.2023 in SA(MD). No.197 of 2005 and restore the same was dismissed for default and proceed further in accordance with law and thus render justice.

Prayer in SA(MD)No. 197 of 2005:-

This Second appeal has been filed under Section 100 of Civil Procedure Code, against the Judgment and decree, dated 26.04.2001 passed in A.S.No.214 of 2001 on

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



the file of the Subordinate Judge, Aruppukottai, confirming the Judgment and decree, dated 15.12.2000 passed in O.S.No.186 of 1998 on the file of the District Munsif Court, Aruppukottai.

ORDER:- This Civil Miscellaneous 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.Jothimani, Advocate for the Petitioner and of Mr.A.Baskaran, Government Advocate for the Second Respondent, this Court made the following order:

This petition has been filed to restore SA(MD).No.197 of 2005, which was dismissed for default on 01.02.2023.

2. Heard the learned counsel appearing for the petitioner and perused the affidavit filed in support of this petition.

3. The learned Additional Government Pleader appearing for the 2nd respondent has no serious objection to allow this petition.

4. In view of the no objection made by the learned Additional Government Pleader appearing for the 2nd respondent, this Petition is allowed and SA(MD).No.197 of 2005 is restored to file.

5. Registry is directed to restore the SA(MD).No.197 of 2005 and list it in the 2nd week of November 2023.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/09/2023

Sub Assistant Registrar(CS)



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1. The Subordinate Judge,
Aruppukottai,
Virudhunagar District.

2. The District Munsif,
Aruppukottai,
Virudhunagar District.

3. The Commissioner,
Aruppukottai Municipality,
Aruppukottai Town,
Virudhunagar District.

Copy to:

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

2)The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 28/08/2023

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ORDER

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CMP(MD). No.10619 of 2023

in

SA(MD)No.197 of 2005

Giving direction and etc.
as stated within.

MK/01.09.2023 4P 7C

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