



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

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Tuesday, the Tenth day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice R. KALAIMATHI

CMP(MD). No.9424 of 2023

in

SA (MD) NO.111 OF 2012

Devagi Ammal

... Petitioner/1st Respondent

Vs

1 Subburam (Died)

2 Regupathy

3 Boopathy

4 Ponvel

5 Kannan

6 Savithri

... Respondents 1- 6/ Appellants 1 to 6

7 Bharathi

... 7th Respondent/ 2nd Respondent

8 Sathyaseelan

9 Jeyaseelan

... 8th and 9th Respondent/Proposed
Respondents 7 & 8 /
Legal heirs of Respondent No.1



Prayer in CMP(MD). No.9424 of 2023

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Civil Miscellaneous Petition filed under section 5 of Limitation Act To condone the delay of 113 days in filing to set aside the order dated 27.02.2023 made in SA(MD) No.111 of 2012 dismissed as abated against the 1 to 4 appellants and restore the same and thus render justice.

Prayer in SA(MD) No.111 of 2012

Second Appeal is filed under Section 100 of C.P.C., against the judgment and decree dated 26.04.2011 made in A.S. No.125 of 2008 on the file of the Principal Subordinate Judge, Dindigul, modifying the Judgment and Decree of the First Additional District Munsif , Dindigul in O.S.No.1290 of 2004 dated 31.01.2007.

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.I.Velpradeep Advocate for the Petitioner and of Mr.G.Prabhu Rajadurai Advocate for the 2nd to 6th Respondents, this Court made the following

order:

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



In view of the endorsement made by the learned counsel of the petitioner stating that the matter is settled, this petition is dismissed as withdrawn.

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Sd/-

Assistant Registrar(CO)

// True Copy //

/10/2023

Sub Assistant Registrar(CS)

TO

1.The Principal Subordinate Judge,
Dindigul.

2. The First Additional District Munsif ,
Dindigul

ORDER DATED : 10/10/2023

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ORDER
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CMP(MD). No.9424 of 2023
in
SA (MD) No.111 of 2012

Giving direction and etc.
as stated within.

MGJ(19.10.2023) 3P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023