



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Twenty Fourth day of March Two Thousand and Twenty
Three

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PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.3568 of 2023

IN

CMA(MD) SR.No.38008 of 2014

K.SUBBU

... PETITIONER/APPELLANT

Vs

SUBBAIAH

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the dismissal order dated 21.06.2016 passed in C.M.A. (MD). Sr. No. 38008 of 2014 and restore the said Civil Miscellaneous Appeal.

PRAYER IN CMA(MD) SR No.38008 of 2014:-

To present this Memorandum of Second Appeal before this Hon'ble High Court against the Decree and Judgement passed in A.S.No.57/2008 dated 10.01.2009 on the file of the Sub-ordinate Judge, Ramanathamapuram, reversing the Judgement and Decree passed in O.S.No.39/2006 dated 25.07.2008 on the file of the District Munsif Cum Judicial Magistrate, Thiruvadanai, decreeing the Appellant/Respondent/Plaintiff's suit.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.A.AJMALKHAN, Advocate for the petitioner, the court made the following order:-

This petition has been filed to set aside the dismissal order dated 21.06.2016 passed in C.M.A.(MD).SR.No.38008 of 2014 and to restore the said Civil Miscellaneous Appeal.

2. Heard the learned counsel for the petitioner.

3. In order to give fair opportunity to the petitioner to agitate his rights on merits, this petition is ordered and the

<https://www.mc.a.gov.in/> CMA(MD) SR.No.38008 of 2014 is restored to file.



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CMP(MD)



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4. Post the appeal for argument on 24.04.2023.

sd/-

24/03/2023

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/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AKV
TO

- 1 THE SUBORDINATE JUDGE,
RAMANATHAPURAM.
- 2 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUVADANAI.

ORDER
IN
CMP (MD) No.3568 of 2023
IN
CMA (MD) SR.No.38008 of 2014
Date :24/03/2023

PKP/CG/SAR-3/29.03.2023/ **2P/3C**