



CMP(MD). No.1044 of 2023

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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.1044 of 2023
in
S.A(MD)No.287 of 2011

1.P.Chinnammal ... 1Petitioner/1st Appellant

A.Elumalai Konar(Died) ... 2nd Appellant

2.Chandra

3.Amutha

4.Venkatesan

5.Tulasimani ... Petitioner 2 to 5/ Appellants3 to 6

Vs

1 N. Seva Konar (Died)

2 Nallammal

3 Rangammal

4 Chandrasekar

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



CMP(MD). No.1044 of 2023

5 Chellam

6 Pappathi

7 Vellaimmal

8 The District Collector
Pudukottai District.

9 The Tahsildar
Illupur Taluk Office Pudukottai District.

10 Rengasamy @ Ratthiyarajan

11 Ulagayee

12 Subramani

13 Anjala

14 Nallu

15 Chinnasamy

16 Rengasamy

17 Ramachandran ... Respondents 1 to 17/ Respondents 1 to 17

Prayer in CMP(MD)No.1044 of 2023 :-

This civil misellaneous Petition filed under Order 41, Rule 19 of C.P.C., to set aside the order passed by this Hon`ble Court in S.A.(MD).No.287 of 2011 dated 03-08-2022 and restore the S.A.(MD).No.287 of 2011.

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



CMP(MD). No.1044 of 2023

Prayer in S.A.(MD)No.287 of 2011:-

Appeal filed under section 100 of Civil Procedure Code to set aside the judgement and decree in A.S.No.58 of 2007 passed by the Sub Court, Pudukottai dated 18.11.2010 reversing the well considered decree and judgment in O.S.No.214 of 2000 passed by learned District Munsif Cum Judicial Magistrate, Keeranoor dated 31.10.2006.

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.P.Narayanakumar, Advocate for the Petitioners and Mr.A.Baskaran, Government Advocate for the respondents Nos. 8 &9, and Mr.P.Murugesan Advocates for Respondents Nos.4,11 to 13 & 14 to 17 this Court made the following order:

This petition has been filed to restore SA(MD).No.287 of 2011, which was dismissed for default on 03.08.2022.

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

3. The learned counsel appearing for the respondents have no serious



CMP(MD). No.1044 of 2023

objection to allow this petition.

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4. In view of the no objection made by the learned counsel appearing for the respondents, this Petition is allowed and SA(MD).No.287 of 2011 is restored to file.

5. Registry is directed to restore the SA(MD).No.287 of 2011 and list it in the 2nd week of November 2023.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/09/2023

Sub Assistant Registrar(CS)

Trp

TO

1. Th Subordinate Judge,
Pudukottai.

2. The District Munsif Cum Judicial Magistrate,
Keeranur.

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. (2 COPIES)



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CMP(MD). No.1044 of 2023

ORDER DATED : 28/08/2023

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ORDER

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CMP(MD). No.1044 of 2023

in

S.A(MD)No.287 of 2011

Giving direction and etc.
as stated within.

RD(01/09/2023) 5P / 6C

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