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CMP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

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

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD). No.9501 of 2022

IN

AS No .10 of 1995

J.Senthilvel

... Petitioner/Appellant

Vs

1 Visalakshi

2 Vairavan,

3 Jothimani,

4 Rajalakshmi,

5 Minor.Rajamanickam(Died),

(Memo Recorded Vide Court Order Dated 26-08-2018)

... Respondents/Respondents

Prayer :-

This Miscellaneous Petition filed Under Order 41 Rule 19, of Code of Civil Procedure To set aside the order passed in **A.S.No.10 of 1995** dated **18-08-2022** and Restore the above first appeal in A.S.No.10 of 1995 which was dismissed for default on 18.08.2022.

Prayer in AS. 10/ 1995 :

First Appeal filed under section 96 of the Civil Procedure Code, against the Judgement and Decree made in **O.S.No. 22 of 1986** on the file of SubOrdinate Judge, **Devakottai, dated 08/03/1994.**

ORDER:- This Appeal 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 Ms. **M.Kannan**, Advocate for the Petitioner this Court made the following order:



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'Considering the avernments made in the affidavit filed in support of this petition, this petition is allowed and the appeal suit is restored to file'

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/03/2023

Sub Assistant Registrar(CS)

TO

1. **SUBORDINATE COURT**
DEVAKOTTAI.

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)

ORDER DATED : 13/03/2023

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ORDER

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CMP(MD). No.9501 of 2022

IN

AS No .10 of 1995

Giving direction and etc.
as stated within.

RD (24/03/2023) 2P 5C