



CMP(MD) No.4330 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Fourteenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.4330 of 2022

in

SA(MD)No. 39 of 2004

1 RETHINAM CHETTIAR

2 SOUNDARAPANDI (DIED),

3 GANAPATHI AMMAL, ...PETITIONERS/ APPELLANTS

4 B.MEENAKSHI,

5 S.BASKARAN,

6 S.SIVASAMI,

7 S.NAGARAJAN,

8 S.UDHAYAKUMAR,

9 S.RAMALINGAM, ... PETITIONERS/PROPOSED APPELLANTS
/ LR'S OF DECEASED SECOND APPELLANT

Vs

1 SUBAIDHA BEEVI(DIED),

2 S.M.SULAIMAN ROWTHER,

3 JEENATH BEEVI,

4 ANNA LAKSHMI, ...RESPONDENTS/RESPONDENTS 1 TO 4



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5 KALEEL AHAMED,

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6 ALLAKSHI,

... RESPONDENTS/PROPOSED RESPONDENTS
/ LR'S OF THE DECEASED FIRST 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 order of dismissal as against the 1st respondent passed in SA(MD) No.39 of 2004, on the file of this Honourable court dated 14.12.2017 and to restore the same to file.

PRAYER IN SA(MD)No. 39 OF 2004:

To set aside the decree and the judgment dated 15.12.2003 rendered in A.S.No. 62 of 2002 on the file of the subordinate Judge, Paramakudi, reversing the decree and the judgment dated 05.09.2000 rendered in O.S.No. 53 of 1992 on the file of the District Munsif of Paramakudi, by allowing this second appeal.

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 and the petitioners and Respondents not appearing either in person or by an advocate, the court made the following order:-

Respondents 2 & 3 died and the steps have not been taken to bring on record the legal representatives of the deceased respondents 2 & 3, therefore, this petition is dismissed as against the respondents 2 & 3. Respondents 4 & 5 appeared through



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2. No representation for the petitioners, hence, this petition is dismissed for-

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default.

sd/-
14/07/2023

/ TRUE COPY /

/07/2023

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

AM
TO

1 THE SUBORDINATE JUDGE,
PARAMAKUDI.

2 THE DISTRICT MUNSIF
PARAMAKUDI

COPY TO
THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.4330 of 2022
in
SA(MD)No. 39 of 2004
Date :14/07/2023

Madras High Court is issuing certified
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PKP/DD/SAR- /18.07.2023/ 3P/4C