



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Tenth day of August Two Thousand and Twenty Three

PRESENT:

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD)No.10714 of 2017

in

S.A. No.259 of 2004

- 1.Madhavi Amma @ Sarasu(Died)
- 2.M.Chidambara Hari
- 3.N.Sreeram Mohan
- 4.Mrs.Bhuvaneswari Rajagopal
- 5.Mrs.Geetha Raghunathan

...Petitioners/ Appellants.

Vs

- 1.Uma, W/o.Gopi
- 2.Mrs.Kosalai Mohanamoorthy

...Respondents/ Respondents.

Prayer in CMP(MD)No.10714 of 2017:-

Civil Miscellaneous Petition is filed under Order 41, Rule 19 of C.P.C., to set aside the order of dismissal as abated in S.A. No.259 of 2004, dated 16/04/2014 and restore the second appeal on the file of this Hon'ble Court.

Prayer in S.A. No.259 of 2004:-

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 10/08/2004 in A.S. No.8 of 2002 on the file of the Subordinate Judge,

Padmanabhapuram, confirming the the judgment and decree dated 24/09/2001 in

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

O.S. No.186 of 1999 on the file of the Additional District Munsif, Eraniel.



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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.S.Ramesh, Advocate for the Petitioner and of Mr.K.Vamanan, Advocate for the respondents, this Court made the following order:

This petition is filed to set aside the order of dismissal as abated dated 16.04.2014 passed in the above second appeal and restore the above second appeal.

2.The learned counsel appearing for the respondents has no objection in allowing this petition. Hence, this petition is ordered as prayed for and the second appeal is restored.

Sd/-

Assistant Registrar(Per.Admin)

// True Copy //

08/09/2023

Sub Assistant Registrar(CS)

To

1.The Subordinate Judge, Padmanabhapuram.

2.The Additional District Munsif, Eraniel.

Copy to:

The Section Officer,
Judicial Posting Section,
Madurai Bench of Madras High Court, Madurai.



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ORDER DATED : 10/08/2023

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ORDER

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CMP(MD). No.10714 of 2017

in

S.A. No.259 of 2004

SI(08.09.2023) 3P/ 4C

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