



CMP(MD) No.12785 of 2022

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

Wednesday, the Second day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD) No.12785 of 2022

in

SA(MD) No.900 of 2005

1 MARIYA VIYAGULAM(DIED)

2 LAZAR

3 MARIA RATNAM

4 JESINTHA MARY

5 LOURDU MARY

6 SAVARIYANANDAN NADAR ... Petitioners / Appellants

Vs

1 MARIA JOHN

2 MARIA MICHAEL

3 MARIA RONICKAM (DIED)

4 CHRISTINAL ... Respondents 1 to 4 / Respondents 1 to 4

5 ROSELET

6 MARYA STELLA

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



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7 GLORY

... Respondents 5 to 7 / Respondents 5 to 7

Civil Miscellaneous 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 of the above Second Appeal as against the 2nd respondent by order dated 02-11-2022, restoring the Second Appeal to file as against his, in the above Second Appeal.

Prayer in SA(MD) No.900 of 2005:

To prefer this memorandum of grounds of second appeal before this Honourable Court against the judgment and decree dated 05.10.2004 and made by the learned I Additional Sub-ordinate Judge, Nagercoil, (Camp, Padmanabhapura), in A.S.No.107 of 2001 on his file, reversing the judgment and decree dated 23.07.2001 and made by the learned Principal District Munsif of Padmanabhapuram in O.S.No.115 of 2000.

ORDER : This civil miscellaneous 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 K.N.THAMPI, Advocate for the petitioners, the court made the following order:-

Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the second appeal is restored in respect of R2.

Post on 01.09.2023 for final hearing.

sd/-
02/08/2023

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/08/2023

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

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1.The Additional Subordinate Judge,
Nagercoil (Camp-Padmanabhapuram).

2.The Principal District Munsif,
Padmanabhapuram.

ORDER
IN
CMP(MD) No.12785 of 2022
in
SA(MD) No.900 of 2005
Date :02/08/2023

ED/VR/SAR- (10/08/2023) 3P / 3C

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