



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Twenty First day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

CMP(MD). No.16655 of 2024

in

SA(MD).No.31 of 2023

Veeraiah,

... Petitioner/ Appellant

Vs

Ayyanar,

... Respondent/Respondent

Prayer :-

Civil Miscellaneous Petition is filed Under 41 Rule of 19 of CPC.,to set aside the order dated 15.11.2023 wherein SA(MD). No.31 of 2023 was dismissed for default and restore the same .

Prayer in SA(MD). 31/ 2023 :

Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the Decree and Judgment passed in A.S. No. 7 of 2020 on the file of the Sub-Court, Aranthangi dated 22.03.2021 confirming the Decree and Judgment passed in O.S. No. 119 of 2006 dated 23.11.2018 on the file of the District Munsif Court, Aranthangi by allowing this second appeal .

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. R.Paranjothi For KBS Law Office, Advocate for the Petitioner and of MR. N.Balakrishnan, Government Advocate for the respondent, this Court made the following order:



This petition is filed to set aside the order dated 15.11.2023 made in S.A.(MD)No.31 of 2023, dismissing the above appeal for default.

2.The learned counsel appearing for the respondent has no objection in allowing this petition.

3.In view of the same, this petition is ordered and the Second Appeal is restored on file.

Sd/-

Assistant Registrar(CO)

// True Copy //

/12/2024

Sub Assistant Registrar
(CS - I/ II / III /IV)

YUVA

TO

The District Munsif Judge,
Aranthangi.

Copy to:

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



WEB COPY



ORDER DATED : 21/11/2024

=====

ORDER

=====

CMP(MD). No.16655 of 2024
in

SA(MD).No.31 of 2023

Giving direction and etc.
as stated within.

MK/02.12.2024 3P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023