



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD). No.3209 of 2024

in

CMP(MD) No.7753 of 2023

in

SA(MD) SR No.372 of 2023

Kaliya Perumal

... Petitioner/ Appellant/ Accused

Vs

1 Thangamani

2 The Tahsildar

Kulithalai Taluk Office,
Kulithalai, Karur District

3 The Revenue Divisional Officer,
Kulithalai, Karur District.

4 The District Collector,
Collectorate, Thanthonimalai, Karur Taluk,
Karur District.

... Respondents/ Respondents/ Respondents

Prayer CMP(MD). No.3209 of 2024:-

This Civil Miscellaneous Petition is filed under order 41 Rule 19 C.P.C., to restore the civil miscellaneous petition as per order dated 17-10-2023 made in C.M.P. (MD)7753 of 2023 in the above second appeal.

Prayer CMP(MD) No.7753 of 2023:

This Civil Miscellaneous Petition is filed under section 5 of C.P.C., to condone the delay of 622 days in filing the second Appeal.



Prayer in SA SR No.3727 of 2023:-

This Second Appeal is filed under section 100 of C.P.C., to set aside the judgment and decree passed by the Sub Judge, Kulithalai in AS No.4 of 2016 on 19.02.2019 confirming the judgment and decree passed in OS No.74 of 2011 by the District Munsif, Kulithalai on 28.02.2014.

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.Srikanth, Advocate for the Petitioner and of Mr.V.Sriram, Advocate, For R1, Mr.G.Suriyananth, Advocate, For R2 to 4, Advocate for the respondents, this Court made the following order:

“The Civil Miscellaneous Petition is filed to restore the Civil Miscellaneous Petition.

2.The Learned Counsel appearing for the respondents have not raised any serious objection to restore the Civil Miscellaneous Petition.

3.Considering the reasons stated in the affidavit filed in support of the petition, this petition is allowed.

4.Registry is directed to restore the Civil Miscellaneous Petition and post the matter for final hearing on 14.03.2024.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/03/2024

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



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

ORDER DATED : 07/03/2024

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ORDER

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CMP(MD). No.3209 of 2024
in
CMP(MD) No.7753 of 2023
in
SA(MD) SR No.372 of 2023
Giving direction and etc.
as stated within.

MGJ(12.03.2024) 3P 2C

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