



CMP(MD) No.868 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Monday, the Eleventh day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice P.DHANABAL
CMP(MD) No.868 of 2024
in
AS(MD) No.21 of 2017

N.ALAGU (DIED)

1. SIVANGANAM,
2 RAVICHANDRAN
3 RADHAKRISHNAN
4 RAJKUMAR
5 MEENAKSHI SUNDARESHWARI

... PETITIONERS
/LRS OF DECEASED SOLE APPELLANT

Vs

1 N.MENIAPPAN, (DIED)

N.MANICKAM (DIED)

2 N.ELANGO VAN
3 S.PANCHAWARNAM
4 SUBBULAKSHMI
5 BOOMINATHAN
6 SASIKUMAR
7 MURUGESAN
8 KAYALVILI
9 SAROJA
10 SARAVANAN
11 SENTHILKUMAR
12 SHYAMLA

... RESPONDENTS 1 TO 8/RESPONDENTS

... RESPONDENTS 9 TO 12/PROPOSED RESPONDENTS

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 order of dismissal dated 24.01.2019 as against respondents 9 to 12 and to restore appeal against them.

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



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Prayer in AS(MD)No.21 of 2017 :

To call for the records relating to the judgment and decree dated 25/10/2016 in OS No.27 of 2010 on the file of the Additional District Judge, Pudukottai, and set aside the same and allow the first appeal.

ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and none appeared either in person or by an advocate for the petitioner and of MR.R.THANGAPANDIAN, Advocate on behalf of the 3rd Respondent and MR.B.MANIKANDAN, Advocate on behalf of the Respondent Nos.4 to 8, the court made the following order:-

This Civil Miscellaneous Petition has been filed by the petitioner to set aside the order of dismissal, dated 24.01.2019 as against the respondents 9 to 12 and to restore the appeal against them.

2. There is no representation on the side of the petitioner.

3. The learned Counsel for the respondents have not filed any counter.

4. Considering the reasons stated in the affidavit and considering the facts and circumstances of this case, this Civil Miscellaneous Petition stands allowed, accordingly.

5. List the appeal on 14.03.2024.

sd/-

11/03/2024

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13/03/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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THE ADDITIONAL DISTRICT JUDGE,
PUDUKOTTAI.

ORDER IN
CMP(MD) No.868 of 2024
in
AS(MD) No.21 of 2017
Date :11/03/2024

RS/VR/SAR-(13.03.2024) 3P 2C
Madurai Bench of Madras High Court is issuing
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