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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction
Friday, the Fifteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD). No.2485 of 2024
in
SA(MD)No.549 of 2021

Beermohammed (Died)

- 1.Avuliyamaitheen
- 2.Ismayil
- 3.Abdul Hussain
- 4.Maguthammal

... Petitioners/ Appellants

Vs

- 1 T. Balachanthiran,
- 2 Pakkiyalakshmi
- 3 Suryaparakash
- 4 Rathinakumar

... Respondents/ Respondents

Prayer :-

Civil Miscellaneous Petition filed under order 41 Rule 19 C.P.C.,to set aside the dismissal order dated 23-01-2024 and restore the S.A(MD).No.549/2021.

Prayer in SA(MD). 549/ 2021 :

Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the decree and Judgment in AS.No. 133/2018 on the file of the Additional District and Sessions Judge at Tenkasi (Fast Track Court) dated 11.11.2019 which was partially modified the decree and Judgment passed in OS.No. 294/2014 on the file of the Additional Sub Court at Tenkasi dated 24.04.2017 .



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. Gunaseelan Muthiah, Advocate for the Petitioner and of Mr. T.Thevan, Advocate for the respondents, this Court made the following order:

“Considering the reasons this petition is allowed.

Registry is directed to restore the Second Appeal and post on 27.03.2024 for final hearing”.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/03/2024

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

To

1. The Additional District and Sessions Judge,
Tenkasi.
2. The Additional Sub Judge,
Tenkasi.

Copy to:

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



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ORDER DATED : 15/03/2024

ORDER

CMP(MD). No.2485 of 2024

in

SA(MD)No.549 of 2021

Giving direction and etc.

as stated within.

MGJ(22.03.2024) 3P 4C

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