



CMP(MD). No.3561 of 2024 and 3586 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Twenty Seventh day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CMP(MD). No.3561 of 2024 and 3586 of 2024

in

CRP(MD).Nos.1584 and 1585 of 2015

1. Meenalochani Alias Meena (Died)
2. Marimuthu Alias Kannan
3. R.Shanthi
4. Nagarajan
5. Vignesh Meenakshi Sundaram, ... Petitioner/Petitioners

Vs

- 1.Sarathamani (Died), ... 1st Respondent/1st Respondent
- 2.G.Sundara Vadivel ... 2nd Respondent/2nd Respondent

Prayer in CMP(MD). No.3561 of 2024:-

Civil Miscellaneous Petition filed Under Order 9 Rule of Civil Procedure Code praying to set aside the order dated 12.02.2024 passed by this Honourable Court in CRP(MD). No. 1584 of 2015 which was dismissed for default for non prosecution and restore the same

CMP(MD). 3586/ 2024 :

1. Meenalochani Alias Meena (Died)
2. Marimuthu Alias Kannan
3. R.Shanthi
4. Nagarajan
5. Vignesh Meenakshi Sundaram, ... Petitioner/Petitioners

- Vs. -



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- 1.A. Sivasankari (Died),
- 2.A. Vijayasundar Alias Dheenani (Died),
- 3.A. Karthikeyan, ... Respondents/Respondents
4. Sivakumari
5. Arun Kaviya, ... Respondents/Proposed Respondents 4 & 5

Prayer in CMP(MD). 3586 of 2024 :

Civil Miscellaneous Petition filed Under Order 9 Rule of Civil Procedure Code praying to set aside the order dated 12.02.2024 passed by this Honourable Court in CRP(MD). No. 1585 of 2015 which was dismissed for default for non prosecution and restore the same

Prayer in CRP(MD). 1584 of 2015:

Civil Revision Petition is filed Under Article 227 of the Constitution of India, against the fair and decreetal order passed in I.A.No.757 of 2012 in O.S.No.646 of 2010 dated 23.06.2015 on the file of the III Additional Sub Court, Madurai

Prayer in CRP(MD). 1585 of 2015:

Civil Revision Petition is filed Under Article 227 of the Constitution of India, against the fair and decreetal order passed in I.A.No.758 of 2012 in O.S.No.646 of 2010 dated 23.06.2015 on the file of the III Additional Sub Court, Madurai

ORDER:- These Civil Miscellaneous Petitions 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.V.Balaji, Advocate for the Petitioners in both petitions and this Court made the following order:



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By an order dated 19.10.2024, an opportunity was given to the petitioner to take steps to serve notice on the respondents. Pursuant to the said direction, the petitioner had taken steps and filed proof of service on 19.11.2024.

2.The notices sent to the respondents 3, 4 and 5 were returned as “no such person in the address” and “insufficient address”, respectively. It is represented that the first respondent died during trial process and he has no issues. The second respondent died and his legal representatives have been brought on record as respondents 4 and 5.

3.Being satisfied with the reasons stated in the affidavit filed in support of these petitions these petitions are allowed and the Civil Revision Petitions are restored to file.

4.The Registry is directed to list the Civil Revision Petitions on 04.12.2024 at the top of the list.

Sd/-

Assistant Registrar (CO)

// True Copy //

/12/2024

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

TA



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TO
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1.The III Additional Sub Judge, Madurai

Copy to:

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

ORDER DATED : 27/11/2024

HEARING DATED : 04/12/2024

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ORDER

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CMP(MD). No.3561 of 2024 and 3586 of 2024
in
CRP(MD).Nos.1584 and 1585 of 2015

Giving direction and etc.
as stated within.

RD(03/12/2024) 4P / 3C

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