



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Civil Appellate Jurisdiction

Wednesday, the Tenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice MUMMINENI SUDHEER KUMAR

CMP(MD). No.334 of 2024

in

SA(MD).No.478 of 2001

Thommaiyarkoil
Thommiyarpuram
through its Administrator,
Mr.Thomma Pitchai

... Appellant

Thommaiyarkoil
Thommiyarpuram
through its Administrator,
Mr. J.Rubert

...Petitioner/Proposed Appellant

Vs

Muthiah Vaidhyar (died)

1. S.Santhanamarial

2. Anthonimmal

3. S.Pragasi

4. S.Glori

5. Josphin

... Respondents/Proosed Respondents 2 to 6



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Prayer in CMP(MD)334 of 2024 :-

Civil Miscellaneous Petition filed under order 41 Rule 19 of C.P.C to set aside the order made in S.A.No.478/2001 dated 14.06.2022 and and restore the same.

Prayer in S.A(MD)No.478 of 2001:-

Second Appeal filed under Section 100 CPC against the judgment and decree, dated 31.08.1998 in A.S.No.202 of 1995 on the file of the Principal District Judge, Tuticorin in O.S.No.69 of 1992, dated 12.10.1995 on the file of the District Munsif Court, Srivaikundam.

ORDER:- This Civil Miscellaneous Petition is 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.Sasikumar, Advocate for the Appellant and of Mr. Mr.M.S.Jeya Karthick, Advocate For Respondent No.2, and of Mr.R.Ponkarthikeyan, Advocate For Respondents No.4, this Court made the following order:

"This petition has been filed to set aside the order, dated 14.06.2022 made in

S.A.No.478 of 2001 and restore the same on the file of this Court.



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2. Notice on the proposed respondents served. The learned counsel appearing for the respondents reported no objection for allowing this application.

3. In the circumstances, this application is allowed and the order, dated 14.06.2022 made in SA.No.478 of 2001 is set aside and the appeal is restored on the file of this Court. "

Sd/-

Assistant Registrar(CS I))

// True Copy //

/01/2024

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

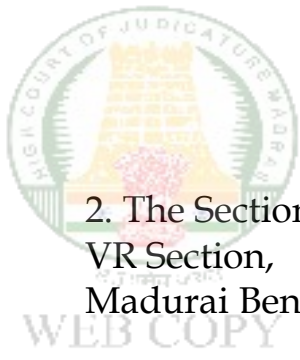
TO

1.The Principal District Judge,
Tuticorin.

2.The District Munsif,
Srivaikuntam.

Copy to:

1. The Section Officer,
Judicial Section(Posting),
Madurai Bench of Madras High Court, Madurai



2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai (2 copies)

ORDER DATED : 10/01/2024

Hearing date : 18.01.2024

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ORDER

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CMP(MD). No.334 of 2024
in
SA(MD).No.478 of 2001
Giving direction and etc.
as stated within.

SSA/12.01.2024 4P 6C

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