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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Eighteenth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD). No.5035 of 2024
in
A.S(MD).No.29 of 2021

M.Sundar,

... Petitioner/ Appellant

Vs

P.Kanaga,
(Sole Defendant - Died During Pendency of
Suit)

- 1) A.Subramanian
- 2 A.Pannerselvam
- 3 A.Murugan
- 4 John Chelladurai

... Respondents/ Respondents

Prayer :-

This Petition is filed under order 41 Rule 19 of C.P.C to set aside the order in A.S.(MD) No.29/2021 dated 26.02.2024 and restore the above A.S.(MD) No.29/2021

Prayer in AS(MD). 29/ 2021 :

This Appeal filed under section 96 of C.P.C to set aside the Judgment and Decree dated 07.03.2020 in O.S.No.63 of 2017 on the file of VI Additional District Judge, Madurai



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 Thiru. T.R.Jeyapalam, Advocate for the fourth respondents, and none having appeared for the petitioner/Appellant this Court made the following order:

When this petition was listed on 10.06.2024, the petitioner did not appear before this Court either in person or through any learned Counsel, hence, this petition was posted under the caption “for dismissal” today, ie., on 18.06.2024.

2.When this petition was listed today, ie., on 18.06.2024, again, the petitioner did not appear before this Court either in person or through any learned Counsel, hence, this Court is inclined to dismiss this petition.

3.Hence, this Civil Miscellaneous Petition is dismissed for non-prosecution.

No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/07/2024

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



TO
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1.VI Additional District Judge, Madurai

ORDER DATED : 18/06/2024

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ORDER

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CMP(MD). No.5035 of 2024
in
A.S(MD).No.29 of 2021

Giving direction and etc.
as stated within.

RE (09.07.2024) 3P/ 2C

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