



CMP(MD)No.9805 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD)No.9805 of 2023

in

SA(MD)No.527 of 2022

S.Chellamal(Died)

P.Thiruvannamalaiyammal (Died)

1.K.Shanmuga Perumal

2.P.Subbu Lakshmi

3.S.Rama Narayanan

4.P.Somuthai

5.S.Padmanaban

6.P.Rama Narayanan

7.P.Mari

8.P.Muthu Rengan

... Petitioners/Appellants

Vs

1.M.Arunachala Pandian

2.A.Subbulakshmi

... Respondents/Respondents

Prayer in CMP(MD)No.9805 of 2023 :- Civil Miscellaneous Petition filed under Order 41 Rule 19 of C.P.C., to restore the Second Appeal(MD)No.527 of 2022 by setting aside the order passed by this Hon'ble Court on 17.03.2023.



CMP(MD)No.9805 of 2023

Prayer in SA(MD)No.527 of 2022 :- Second Appeal filed 100 of under Section Civil Procedure Code, to set aside the judgment and decree passed in A.S.No.24 of 2013 dated 30.11.2018 on the file of Sub-Court, Tenkasi conforming the judgment and decree made in O.S.No.573 of 2005 dated 28.06.2013 on the file of the Additional District Munsiff Court, Tenkasi.

ORDER:- This Civil Miscellaneous 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.V.P.Rajan, Advocate for the Petitioner, this Court made the following order:-

“This Civil Miscellaneous Petition is filed to restore the Second Appeal by setting aside the dismissal order, dated 17.03.2023 in the Second Appeal.

2.Considering the reasons stated in the affidavit filed in support of the petition, this petition is allowed.

3.Registry is directed to restore the Second Appeal and post the matter for final hearing on 15.02.2024.”

Sd/-

Assistant Registrar ()

// True Copy //

/02/2024

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



CMP(MD)No.9805 of 2023

TO **सर्वोदय**

WEB COPY

1.The Subordinate Judge,
Thenkasi.

2.The Additional District Munsif,
Thenkasi.

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

ORDER DATED : 09/02/2024

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ORDER
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CMP(MD)No.9805 of 2023
in
SA(MD)No.527 of 2022

Giving direction and etc.
as stated within.

DL/(13.02.2024)/ 3P/4C

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