



CMP(MD). No.7867 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Thirteenth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD). No.7867 of 2023

in

SA(MD). 548 of 2022

1 Vijayan

2 Nagarajan

... Petitioners/ Appellants

Vs

1 Sivagnanam

2 Manivannan

3 Kumarasamy

4 Balasubramanian

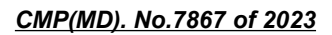
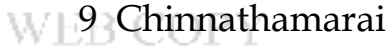
5 Jeevanantham

6 Mallika

7 Arulselvam

8 Rethinam

<https://www.mhc.tn.gov.in/judis>



10 Sivakolunthu

11 D.Rajam

12 R.Pushpam

13 Vijayakumari

14 Jeyakodi

15 Vasanthakumari

16 A.Rani ... Respondents/Respondents

Prayer :-

Civil Miscellaneous Petition filed under order 41 rule 19 C.P.C, To set aside the order and restore the S.A(MD) No.548 of 2022 which was dismissed for default on 12.04.2023.

ORDER:- This Civil Miscellaneous Petition coming on this day and the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru./Ms. N.Balakrishnan, Advocate for the Petitioner, this Court made the following order:

“This Miscellaneous petition is filed to set aside the Judgement of this Court in SA(MD) No.548 of 2022 on 12.04.2023 wherein, the second appeal was dismissed for default.



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2.The learned Senior Counsel appearing for the petitioner/appellant submits that due to his ill health, he could not attend the Court, when the second appeal was listed for hearing. Therefore, the second appeal was dismissed for default.

3.Considering the submissions made by the learned Senior Counsel, this Miscellaneous Petition is allowed. The Second appeal is restored to file.

4.Registry is directed to list this second appeal on 27.09.2024."

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/09/2024

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

TO

1. The Principal District Judge,
Pudukottai.
2. The Subordinate Judge,
Pudukottai.
3. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court. Madurai.



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ORDER DATED : 13/09/2024

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ORDER

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CMP(MD). No.7867 of 2023

in

SA(MD). 548 of 2022

SI -(24.09.2024) 4P/ 4C

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