



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Third day of August Two Thousand and Twenty Two

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PRESENT
The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) . No.5754 of 2022
in
AS(MD) .NO.179 of 2020

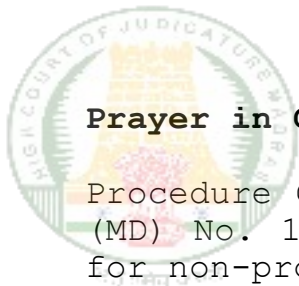
1. M.Kamala
- 2.Gnanasekar
- 3.Kavitha
- 4.Tamilselvan
- 5.Valli
- 6.Murugan
- 7.Kumar
- 8.Thangam
- 9.Rajeswari
- 10.Kamalahasan
- 11.M.Gopinath

... Petitioners/Appellants

Vs

- 1 Balasubramaniyan
- 2 M/s.City Union Bank,
Represented by its Manager,
SIGC Campus,
Kaliyamman Koil Street,
Tiruchirapalli-620 002.
- 3 M/s.State Bank of India Limited,
Administrative Office,
Cantonment,
Trichy Zone,
Tiruchirapllai.

... Respondents/Respondents

**Prayer in C.M.P(MD).NO.5754 of 2022:-**

This petition is filed under order 41, Rule 19 of Civil Procedure Code, to pass an order restoring the first appeal in A.S. (MD) No. 179 of 2020 which was dismissed for default on 28.04.2022 for non-prosecution and thus render justice.

Prayer in A.S. (MD).NO.179 of 2020:

This petition is filed under section 96 of the Civil Procedure Code to set aside the judgment and decree dated 4th day of August 2018 made in O.S.NO.160 of 2013 on the file of the III Additional Distirct Judge, Tiruchirapalli by allowing this appeal suit and thus render justice.

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.M.Vivek Bharathi, for the first respondent, and none appeared for the petitioners, this Court made the following order:

When the matter came up in the morning session, there was no representation and as such, the matter was passed over and when the same was again taken up at 2.50 p.m., there was no representation on behalf of the petitioners. Therefore, this petition is dismissed for non-prosecution.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/09/2022

Sub Assistant Registrar(CS)

TO

The III Additional Distirct Judge,
Tiruchirapalli.

Copy to:

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



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CMP(MD).



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ORDER DATED : 03/08/2022

ORDER

CMP (MD) . No.5754 of 2022
in
AS (MD) .NO.179 of 2020

Giving direction and etc.
as stated within.

RD(02/09/2022) 3P 4C