



CMP(MD). No.5346 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Fourth day of December Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE V.SIVAGNANAM

CMP(MD). No.5346 of 2024

IN

S.A.No.729 of 1999

1. Sivakami (Died),
2. Murugan
3. Raghupathy (Minor) ... Petitioners/ Appellants

Vs

1. S. Govindammal,
2. Periyagovindan ... Respondents/ Respondents

Prayer in CMP(MD). No.5346 of 2024:-

This Civil Miscellaneous Petition filed Under Order 41 Rule 19 of Civil Procedure Code praying to restore the Second Appeal in S.A. No. 729 of 1999 which was dismissed for default on 29.03.2019, the Second Appeal on file and decide the matter on merits

Prayer in SA No.729 of 1999:-

Second Appeal filed Under Section 100 of the Code of Civil Procedure Code, against the judgment and decree made in A.S.No.187 of 1995, dated 10.12.1996 on the learned Additional Sub Court, Srivilliputhur, confirming the Judgment and



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decree made in O.S.No.299 of 1991, dated 22.08.1995, on the file of the learned District Munsif Court, Sattur.

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.An.Ramanathan For Mr.K.Muthuganesa Pandian, Advocate for the Petitioners and of Ms.S.Mahalakshmi, Advocate for the first respondent, this Court made the following order:

"This petition is allowed.

2.Registry is directed to restore the Second Appeal on file".

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/12/2024

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

TO

1.The Additional Subordinate Judge, Srivilliputhur.

2.The District Munsif, Sattur

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 04/12/2024

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ORDER

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IN

S.A.No.729 of 1999

SI -(26.12.2024) 3P/ 4C

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