



CMP(MD). No.5348 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.5348 of 2024

IN

S.A.No.854 of 2000

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

Vs

1. S. Govindammal,
2. Magamayeeammal(Died)
(Memo Dated 07.11.2024 filed in
CMP(MD)no. 5348 of 2024 is recorded
to the effect that R2 died and
R1, LR of the deceased R2 already
on record, is recorded) ... Respondents/ Respondents

Prayer in CMP(MD). No.5348 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. 854 of 2000 which was dismissed for default on 29.03.2019, the Second Appeal on file and decide the matter on merits.



CMP(MD). No.5348 of 2024

Prayer in SA No.854 of 2000:-

Second Appeal filed Under Section 100 of the Code of Civil Procedure Code, against the decree and judgment made in A.S.No.224 of 1995, dated 28.10.1997 on the learned Additional Sub Court, Srivilliputhur, reversing the decree and judgment made in O.S.No.386 of 1992, 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



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Copy to:

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

ORDER DATED : 04/12/2024

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ORDER

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CMP(MD). No.5348 of 2024

IN

S.A.No.854 of 2000

SI -(26.12.2024) 3P/ 4C

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