



CMP(MD). No.9485 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

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

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD). No.9485 of 2023

in

SA(MD)No.130 of 2021

Sekaran

S/o.Natarajapillai

... Petitioner/ Appellant

Vs

Arumugam

S/o.Chinnaiah

... Respondent/ Respondent

Prayer :-

Civil Miscellaneous Petition filed Under Order 41,Rule 19 of civil Procedure Code to set aside the dismissal order in SA No.130/2021 dated 16.06.2023 and to restore the second appeal .

Prayer in SA(MD). 130 of 2021 :

Second Appeal is filed under Section 100 of Code of Civil Procedure,against the judgment and decree passed in A.S.No.06 of 2015 dated 13-06-2018 on the file of the Principal District Court,Pudukottai, by reversing the Judgement and decree passed in O.S.No.235 of 2009 dated 01-02-2014 on the file of the Sub Court Pudukottai.



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ORDER:- This 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 M/s. J.Jeyakumaran, Advocate for the Petitioner and of M/s. M.Suresh, Advocate for the respondent, this Court made the following order:

This Civil Miscellaneous Petition is filed to set aside the dismissal order, dated 16.06.2023 in the Second Appeal.

2. The Learned Counsel appearing for the respondent has not raised any serious objection to restore the Second Appeal.

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

4. Registry is directed to restore the Second Appeal and post the matter for final hearing on **19.02.2024**.

Sd/-

Assistant Registrar (CO)

// True Copy //

/02/2024

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

KSA



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CMP(MD). No.9485 of 2023

1.The Principal District Judge,
Pudukottai.

2.The Subordinate Judge,
Pudukottai.

Copy to:

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

(with a direction to list the Second Appeal on 19/02/2024)

3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)



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ORDER DATED : 02/02/2024

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RESTORATION

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CMP(MD). No.9485 of 2023

in

SA(MD)No.130 of 2021

Giving direction and etc.

as stated within.

RD(08/02/2024) 4P / 6C

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