



CMP(MD). No.3132 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Thirteenth day of March Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD). No.3132 of 2024
in
S.A.No.1980 of 2001.

Sampoornathammal @ Sambu(Died)

N.Balasundaram ... Petitioner / Appellant

-Vs-

Santhi ... Respondent / Respondent

Prayer :-

Petition filed Under Order 41 Rule 19 of Civil Procedure Code to set aside the order dated 16-08-2019 i S.A.No.1980 of 2001 to restore the second appeal on the file of this Hon`ble Court and thus render justice.

Prayer in S.A.No.1980 of 2001 :-

Second Appeal filed Under Section 100 of C.P.C., against the Judgment and Decree dated 20.10.2000 made in A.S.No.120 of 1997, on the file of the Principal Subordinate Judge, Thanjavur, confirming the Judgment and decree dated.03.12.1996 made in O.s.No.152 of 1994 on the file of the District Munsif, Thanjavur.

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



CMP(MD). No.3132 of 2024

Mr.K.Govindarajan, Advocate For M/s. Sarvabhauman Associates for the Petitioner
and of Mr.V.K.Vijaya Raghavan, Advocate for the Respondent, this Court made the
following order:

This Petition is filed to set aside the order dated 16.08.2019 and restore the
above second appeal.

2.S.A.No. 1980 of 2001, was dismissed for non prosecution on 16.08.2019.

3.The learned counsel for the respondent has no objection to allow this
petition.

4.Being satisfied with the reasons stated in the affidavit filed in support of this
petition, this Court is inclined to allow this petition. Accordingly, this Civil
Miscellaneous petition is allowed.

5.Registry is directed to restore S.A.No. 1980 of 2001 and list the matter after
three weeks.

Sd/-

Assistant Registrar ()

// True Copy //

/03/2024

Sub Assistant Registrar()



CMP(MD). No.3132 of 2024

To

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1. The Principal Subordinate Judge, Thanjavur,
2. The District Munsif, Thanjavur.

Copy to:

1. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai
2. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
(For Restoration and Posting the matter)

ORDER DATED : 13/03/2024
Next Hearing : After 3 Weeks

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ORDER

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CMP(MD). No.3132 of 2024
in
S.A.No.1980 of 2001
Giving direction and etc.
as stated within.

KB(21.03.2024) 3P 6C