



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

**Tuesday, the First day of October Two Thousand and Twenty Four
PRESENT**

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD). No.13093 of 2024

in

SA(MD) 46 OF 2017

1. R.Manoharan

2. R.Parvathi

3. C.Gunavathi

4. N.Vanmathi

5. D.Malathi

6. Kalaiyarasi

7. R.Thamilarasi

8. R.Geetha

Saroja (Died)

9. Pandiyarajan

10. Sundarapandiyan

11. Vijayapandiayan

12. Lakshmi

... Petitioners/ Appellants

Vs

1 S.Balakrishnan

2 S.Ravichandran

Thirumalaisamy (Died)



3 Jayabal

4 Baskaran

5 Dhanam

6 T.Saraswathi

7 T.Suresh

8 Sumathi

9 T.Ramesh

10 L.Periyasamy

11 Sukumar

12 Gopinath

13 Karthik

14 Girija

15 Roopavathi

... Respondents/Respondents

Prayer in CMP(MD). No.13093 of 2024

Civil Miscellaneous Petition filed under order 41 Rule 19 of Cpc to Seaside the order dated 26.04.2023 in SA(MD) No.46 of 2017, which was dismissed for default and Restore the same and thus render justice.

Prayer in SA(MD). No.46 of 2017

Second Appeal filed under Section 100 of C.P.C., to set aside the judgment and decree of the Subordinate Judge, Periyakulam,



dated 14.02.2014 made in Appeal Suit No.9 of 2009 confirming the judgment and decree of the District Munsif , Periyakulam, dated 27.02.2009 made in Original Suit No. 61 of 1996.

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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 Mr.R.A.Mohanram, Advocate for the Petitioner this Court made the following order:

“ This Petition is allowed and the second appeal is restored to file.”

Sd/-

Assistant Registrar ()

// True
Copy //

/10/2024

Sub Assistant Registrar
(CS-1/II/III/IV)

TO

1. The Subordinate Judge,
Periyakulam.
2. The District Munsif,
Periyakulam.

Copy to:

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



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ORDER DATED : 01/10/2024

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ORDER

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CMP(MD). No.13093 of 2024
in
SA(MD)No.46 of 2017

BV(08/10/2024) 4P/ 4C

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