



CMP(MD) No.11376 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Second day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD) No.11376 of 2024

IN

SA(MD) No.254 of 2022

1 Y.AMALADASS

2 A.NITHYA

... PETITIONERS/ APPELLANTS

Vs

1 Y.JOSEPH JESURAJ,

2 J.TAMILSELVI,

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the order passed in SA.(MD).No.254 of 2022 dated 15.07.2024 by this Hon`ble court and restore the above second appeal and reheard on merits and thus render justice.

Prayer in SA(MD). 254/ 2022 :

Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the against the Judgment and Decree dated 21.10.2021 passed in A.S. No. 47 of 2019 on the file of I Additional District Judge, Madurai Confirming Judgment and decree dated 11.08.2018 in O.S. No. 190 of 2012 on the file of the II Additional Subordinate Judge, Madurai and thus allow the appeal with costs and thus render justice.



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ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.MUTHU KAMATCHI, Advocate for the petitioner and of MR.K.SAMIDURAI, Advocate on behalf of the Respondents the court made the following order:-

Being satisfied with the reasons assigned in the affidavit filed in support of this petition and also considering the fact that this Court has already admitted the second appeal, this petition is ordered with a cost of Rs.5,000/- to be paid by the petitioners herein to the respondents, within a period of two weeks, from the date of receipt of a copy of this order. Accordingly, the second appeal is restored on file.

2.Post the second appeal for final disposal after two weeks.

sd/-
02/09/2024

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/09/2024

Sub-Assistant Registrar (CS-I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

lr

TO

1.The I Additional District Judge, Madurai

2.The II Additional Subordinate Judge, Madurai



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ORDER
IN
CMP(MD) No.11376 of 2024
IN
SA(MD) No.254 of 2022
Date :02/09/2024

RK/VR (06/09/2024) 3P / 3C

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