



CMP(MD) No.11063 of 2023

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

Thursday, the Twenty Fifth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.11063 of 2023

IN

CMP(MD) No.5754 of 2022

IN

AS(MD) No.179 of 2020

1 M.KAMALA
2 GNANASEKAR
3 KAVITHA
4 TAMILSELVAN
5 VALLI
6 MURUGAN
7 KUMAR
8 THANGAM
9 RAJESWARI
10 KAMALAHASAN
11 M.GOPINATH

... PETITIONERS/ APPELLANTS

Vs

1 BALASUBRAMANIYAN

2 M/S.CITY UNION BANK
REPRESENTED BY ITS MANAGER,
SIGC CAMPUS,
KALIAMMAN KOIL STREET,
TIRUCHIRAPPALLI - 620002



CMP(MD) No.11063 of 2023

3 M/S.STATE BANK OF INDIA LTD.,
ADMINISTRATIVE OFFICE,
CANTONMENT,
TRICHY ZONE,
TIRUCHIRAPPALLI.

... RESPONDENTS/RESPONDENTS

Prayer in CMP(MD).11063/2023 :

To pass an order condoning the delay of 451 days in filing the First Appeal CMP (MD) No.5754 of 2022 in A.S.(MD) No.179 of 2020.

Prayer in CMP(MD). 5754/ 2022 :

To pass an order restoring the first appeal in A.S. (MD) No.179 of 2020 which was dismissed for default on 28.04.2022 for non-prosecution.

Prayer in AS(MD). 179/ 2020 :

To set aside the judgment and decree dated 4th day of August 2018 made in O.S.No.160 of 2013 on the file of the III Additional District Judge, Tiruchirappalli by allowing this appeal and dismiss the suit in O.S.No. 160 of 2013.

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 M/S.SHANGAR MURALI, Advocate for the petitioner and of MR.M.VIVEK BHARATHI, Advocate on behalf of the 1st Respondent and MR.M.PRAKASH, Advocate on behalf of the 2nd Respondent and MR.C.KARTHIK, Advocate on behalf of the 3rd Respondent, the court made the following order:-

This petition is allowed on condition that the Appellants are directed to pay a sum of Rs.1,000/- to the learned counsel for the respondents, on or before 05.06.2024.

Post on 06.06.2024.

sd/-

25/04/2024

/ TRUE COPY /

/04/2024

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



CMP(MD) No.11063 of 2023

TO
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THE III ADDITIONAL DISTRICT JUDGE,
TIRUCHIRAPPALLI.

+1 CC to M/s.K.S.SANKAR MURALI, Advocate (SR-4879[I] dated 25/04/2024)

ORDER
IN
CMP(MD) No.11063 of 2023
IN
CMP(MD) No.5754 of 2022
IN
AS(MD) No.179 of 2020
Date :25/04/2024

RS/JGB/SAR-(30.04.2024) 3P 3C
Madurai Bench of Madras High Court is issuing
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