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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Twelfth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD). No.9137 of 2024

in

AS(MD)No.160 of 2008

S.Murugesan

... Petitioner/Appellant

Vs

1 C.Banumathi,

2 Rajam,

3 Madasamy Chettiar,

4 S.P.Subbiah Chettiar,

5 Aryappan Moopan,

6 Sudalaiyandi Chettiar,

... Respondents/Respondents

(Respondents 3 to 6 are Exparte

in the Lower Court and they are Given Up)

Prayer :-

Civil Miscellaneous Petition filed under Order,41 Rule 19 r/w Section.151 of CPC To set aside the order passed by this Court in AS(MD). No.160 of 2008 dated 06.02.2017 and restore the above Appeal Suit to file .



Prayer in AS(MD). 160/ 2008 :

Appeal Suit filed under Section 96 of CPC, against the Judgment and decree dated 27/11/2006 in OS.9/2005 on the file of the 1st Additional District Judge, Tirunelveli decreeing the suit in OS.9/2005.

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. C.Gangai Amaran, Advocate for the Petitioner, this Court made the following order:

“This Petition is allowed”

Registry is directed to restore the appeal and post the same on 19.07.2024, for final hearing.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/07/2024

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

TO

**1.The I Additional District Judge,
Tirunelveli**

Copy to:

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



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ORDER DATED : 12/07/2024

ORDER

**CMP(MD). No.9137 of 2024
in
AS(MD)No.160 of 2008**

**Giving direction and etc.
as stated within.**

MK/18.07.2024 3P C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023