



CMP(MD) No.13633 of 2023

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

Wednesday, the Fifth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice S.SOUNTHAR

CMP(MD) No.13633 of 2023

in

SA No.1464 of 1994

SHANMUGHA THEVAR, (DIED)

MUNIASAMY THEVAR (DIED)

M. KANNAN

... Petitioner / Appellant

Vs

1.SUDALAIMUTHU NADAR(DIED)

2.P.ANNAPOO (DIED)

3.V.PUSHPAM (DIED)

4.S.VAZHAVETTI

5 S.BALRAJ

6 PERUMAL

7 LAKSHMI

8 P.PONNUTHAI

... Respondents / Respondents



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9 P.MUTHUSAMY

10 P.SRIRAM

11 P.VIJAYAANAND

12 P.JEYAKULAN

13 L.SELVI

14 M.NALAVATHI,

15 P.REVATHI

... Respondents 9 to 15 /
Proposed Respondents 9 to 15

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to restore the CMP(MD). No. 12383/2022, CMP(MD). No. 12385/2022 and 12387/2022 in SA No. 1464/1994 by setting aside the order dated 14.07.2023.

Prayer in SA No.1464 of 1994:

To prefer this memorandum of second appeal against the judgment and decree dated 25.03.1994 made in A.S.No.130 of 1992 on the file of the Sub Court at Ramanathapuram, reversing the judgment and decree dated 27.11.1991 made in O.S.No.184 of 1990 on the file of the District Munsif Court, Pramakudi.

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.S.VENKATESH, Advocate for the petitioner, the Court made the following order:-

In view of the order passed by this Court in C.M.P.(MD)No.13093 of 2023 in S.A.No.1464 of 1994, dated 26.09.2023 and the reasons assigned by the petitioner in support of the applications herein, this Court is inclined to order the restoration



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application.

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2. Accordingly, this restoration application is ordered. Registry is directed to restore C.M.P.(MD)Nos.12383, 12385 and 12387 of 2022 on file.

sd/-
05/06/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSM

To

1.The Subordinate Judge,
Ramanathapuram.

2.The District Munsif,
Paramakudi.

ORDER
IN
CMP(MD) No.13633 of 2023
in
SA No.1464 of 1994
Date :05/06/2024

ED/ VR /SAR- (04/06/2024) 3P / 3C

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