



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

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Thursday, the Twenty Fourth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

AND

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CMP(MD). No.14957 of 2024

in

A.S.(MD)No.165 of 2021

1. S.Mariaraj
2.A. Josephraj
3.A. Aloysius

... Petitioners/Appellants

Vs

1 The East India Corporation Ltd.,
Through its Managing Director
T. Meenakshi Having its Office
at D.No.7B K.M.A.Complex,
Ramnagar, Bypass Road,
Madurai-10.

2 T.Meenatchi,

3 Karumuthu T.Sundaram

... Respondents/Respondents

Prayer :-

Civil Miscellaneous Petition filed under order 41 Rule 19 of CPC To set aside the order dated 03.10.2024 passed by this Honourable Court in A.S.No.165 of 2021, which was dismissed for non prosecution and restore the same on file and thus render justice.

Prayer in A.S.(MD)No.165 of 2021:-

Appeal Suit filed under Section 96 read with order XLI, Rule I of the

<https://www.mhc.tn.gov.in/judis>



Civil Procedure Code praying to reverse and set aside the Judgment and decree dated 03.09.2020 in O.S.No.42 of 2014 on the file of the Principal District Judge, Dindigul and allow the first appeal.

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 M/s. J.R. Annie Abinaya, Advocate for the Petitioners and of Mr. A.S. Vaigunth, Advocate for the 1st respondent and Mr. P. Thiagarajan, Advocate for the 2nd respondent, this Court made the following order:

'The above application has been filed to set aside the order dated 03.10.2024 passed in A.S.(MD)No.165 of 2021, which was ordered to be dismissed for non prosecution and restore the appeal on file.

2. Being satisfied with the reasons stated in the affidavit filed in support of the petition, this petition is ordered and the Registry is directed to restore the First Appeal on file.'

Sd/-

Assistant Registrar (CO)

// True Copy //

/11/2024

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



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The Principal District Judge, Dindigul

Copy to:

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

ORDER DATED : 24/10/2024

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ORDER

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CMP(MD). No.14957 of 2024
in
A.S.(MD)No.165 of 2021

Giving direction and etc.
as stated within.

BV (08/11/2024) 3P/ 3C

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