



CMP(MD). No.13988 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction
Thursday, the Twenty First day of March Two Thousand and Twenty Four
PRESENT
The Hon`ble Mr.Justice P. DHANABAL
CMP(MD). No.13988 of 2023
in
AS(MD).No.128 of 2014

Chinnathambi (Deceased)
2.Pattu
3.C.Aruna Giri
4.Bhuvaneshwari
5.Nandhini

... Petitioner/Proposed Petitioners/legal
heirs of the Deceased Appellant

Vs

1 P.Suresh Babu, ... 1stRespondent/Respondent

2 Sasikala ... 2nd Respondent/Proposed 2nd
Respondent/Legal heir of the deceased appellant

Prayer :-

Civil Miscellaneous Petition filed under 41 Rule 19 of CPC to Restore the appeal which was dismissed for default on 18.10.2022.

Prayer in AS(MD). 128/ 2014 :

Appeal filed under section 96 of CPC,against the judgement and decree,dated 25.04.2014 made in O.S.No.121 of 2012 on the file of the I Additional District Court (PCR),Tiruchirappalli.

ORDER:- This Petition coming on for orders on this day and upon perusing the

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



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petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. Gowtham Arun, Advocate for the Petitioner and of M/s. P Thiagarajan For R1, N.Mohamed Asif For R2, this Court made the following order:

This petition has been filed to restore the appeal which was dismissed for default on 18.10.2022.

2. Mr.N.Mohammed Asif, learned counsel appearing for the second respondent.
3. The learned counsel appearing for the respondents had no objection for allowing this petition.
3. Considering the reasons stated in the affidavit and considering the facts and circumstances of the case, this petition stands allowed.
4. Registry is directed to list the appeal on **12.04.2024**.

Sd/-

Assistant Registrar (CO)

// True Copy //

/04/2024

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

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To:

The I Additional District Judge (PCR),
Tiruchirappalli.



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

ORDER DATED : 21/03/2024

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ORDER

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CMP(MD). No.13988 of 2023

in

AS(MD).No.128 of 2014

Giving direction and etc.
as stated within.

RD(02/04/2024) 3P / 3C

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