



CMP(MD). No.5054 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty First day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD). No.5054 of 2024
in
C.M.A(MD)No.606 of 2019

The Director,
Central Marine Fisheries Research Institute
Post Box.No.1603,
Ernakullam North Post,
Cochin,
Kerala.

... Petitioner

Vs.

1. Wilson Fernando
2. M.S.Madan
3. The Traffic Manager
Tuticorin Port Trust,
Thoothukudi.

... Respondents

Prayer in CMP(MD). No.5054 of 2024:-

This Petition is filed Under Order 41 Rule 19 of Civil Procedure Code praying to set aside dismissal order dated 18.10.2022 and restore the appeal in C.M.A.No. 606 of 2019 as against the petitioner.



CMP(MD). No.5054 of 2024

Prayer in CMA(MD). No.606 of 2019:-

This Appeal is filed under Section 37(1) of Arbitration and Conciliation Act, 1996 to set aside the fair and decreetal order passed in Ar.O.P.No.253 of 2013 dated 11.04.2019 on the file of the Principal District Court, Tuticorin.

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.B.Rajesh Saravanan, Advocate for the Petitioner and of Mr. V.R.Shanmuganathan, Advocate for the respondent No.1, this Court made the following order:

Being satisfied with the reasons stated in the accompanying affidavit, this petition is allowed. Registry is directed to restore the Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar

// True Copy //

/07/2024

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

TO

1. The Principal District Judge,
Tuticorin.
2. The Traffic Manager
Tuticorin Port Trust,
Thoothukudi.



CMP(MD). No.5054 of 2024

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

ORDER DATED : 21/06/2024

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ORDER

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CMP(MD). No.5054 of 2024
in
C.M.A(MD)No.606 of 2019
Giving direction and etc.
as stated within.

MK/03.07.2024 3P 4C

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