

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Eighteenth day of June Two Thousand and

Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

CMP(MD). No.8094 of 2025

in

SA(MD).No.1138 of 2008

Chithiraisamy

..Petitioner / Appellant

Vs

1 Sundara Thevar

2 Navakanda Thevar,

3 Sarasammal

... Respondents / Respondents

Prayer in CMP(MD)No.8094 of 2025

This Civil Miscellaneous Petition is filed under Order 41 Rule19 of cpc to set aside the order and RESTORE the Second Appeal in SA(MD)No.1138/2008 which was dismissed for default on 10.06.2024.

Prayer in SA(MD)No.1138 of 2008

Second Appeal filed under Section 100 of the Civil Procedure Code,against the judgment and decree made in A.S.No.24 of 2005,dated 29.12.2005; on the file of the Principal District Court,Ramanathapuram,confirming the judgment and decree made in O.S.No.3 of 2002,dated 30.11.2004 on the file of the District Munsif Cum Judicial Magistrate,Kamuthi.



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ORDER:- This Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.S.Ashok Adityan Advocate for M/s Subash Law Associates for the appellant, and of Mr.S.Sivathilagar Advocate for the Respondents 1 to 3 not appearing this Court made the following order:

This Civil Miscellaneous Petition has been filed to set aside the order and restore the S.A(MD)No.1138 of 2008 which was dismissed for default on 10.06.2024.

2. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this Civil Miscellaneous Petition stands allowed and C.M.P(MD)No.8094 of 2025 is restored.

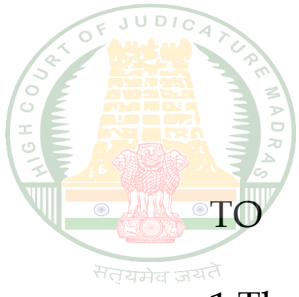
Sd/-

Assistant Registrar (CS-I)

// True
Copy //

/ /2025

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



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1. The Principal District Judge,
Ramanathapuram.

2 The District Munsirf Cum Judicial Magistrate,
Kamuthi.

Copy to:

The Section Officer, (2 Copies)
VR Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 18/06/2025

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ORDER

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CMP(MD). No.8094 of 2025

in

SA(MD).No.1138 of 2008

Giving direction and etc.
as stated within.

TS (16/07/2025) 3P/5C

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