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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Twentieth day of March Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE G.ILANGO VAN

CMP(MD). No.2577 of 2023
in
S.A.(MD)No.918 of 2009

Murugesan

... Petitioner/ Appellant

Vs

1 Periyasamy

2 Subburaman (Died)

... Respondents/ Respondents

Prayer :-

Civil Miscellaneous Petition filed under Section 151 of C.P.C. To direct the registry to reconstruct the misplaced restoration petition that was already filed on 24-07-2019 in C.M.P.SR.No.54552 of 2019 in S.A.(MD).No.918 of 2009 on the basis of the available petition copy bearing the official seal of the Registry and pass such further or other order as this Hon`ble Court.

Prayer in S.A.(MD)No.918 of 2009:-

Second Appeal filed under section 100 of C.P.C., to against the judgment and decree dated 27.02.2008 made in AS.No.26 of 2007 on the file of Subordinate Judge, Kulithalai, confirming the judgment and decree dated 23.04.2007 made in OS.No.14 of 2003 on the file of the learned District Munsif, Kulithalai.



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. V. Balaji, Advocate for the Petitioner, this Court made the following order:

This petition has been filed to direct the Registry to reconstruct the misplaced restoration petition that was already filed on 24.07.2019 in C.M.P.(MD)No.SR54552 of 2019 in S.A.(MD).No.918 of 2009 on the basis of the available petition copy bearing the official seal of the Registry.

2.Report was called for from the Registry in this regard, since it has been stated by the petitioner that actually the papers were missed only in the Registry and not at the hands of the petitioner counsel.

3.Report filed by the Registry indicating that the petition filed by the petitioner was returned under due acknowledgement and it was taken back by the learned counsel for the petitioner on record on 13.11.2019 itself. The petitioner has to take further steps in this regard. So this petition does not lie.

4.Accordingly, this petition stands dismissed. If the petition is represented, the time taken in this proceedings may be deducted.

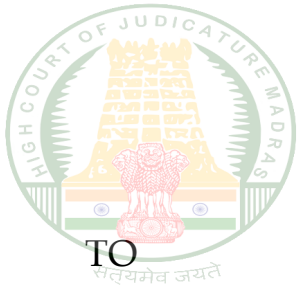
Sd/-

Assistant Registrar(CS III)

// True Copy //

/04/2025

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



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1. The Subordinate Judge, Kulithalai.

2. The District Munsif, Kulithalai.

Copy to:

The Section Officer,

Judicial Section,

Madurai Bench of Madras High Court, Madurai

ORDER DATED : 20/03/2025

ORDER

CMP(MD). No.2577 of 2023

in

S.A.(MD)No.918 of 2009

Giving direction and etc.
as stated within.

MGJ(01.04.2025) 3P 4C

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