



CMP(MD). No.814 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Tuesday, the Twenty Ninth day of April Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE G.ILANGO VAN

CMP(MD). No.814 of 2019

in

SA(MD) No. 173 of 2008

Peter Fernando (Died)

1. Rajeswari, W/o.Late Peter Fernando

2. Batrica Nancy, D/o.Late Peter Fernando

3. Anto Fernando, S/o.Late Peter Fernando

... Petitioner/ Appellant

Vs

1 Central Government Employees
Co-Operative Building Society Ltd.
No.2186 Having its Regd. Office at Tirunelveli
Through its President.

2 S.Palaniappan,

3 K.Ramachandran,

4 Tirunelveli Municipal Corporation,
Through its Commissioner S.N.High Road,
Tirunelveli.

5 A.Balakrishnan

... Respondent/ Respondent



CMP(MD). No.814 of 2019

Prayer in CMP(MD).No.814 of 2019:-

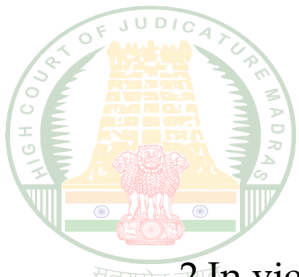
The Civil Miscellaneous Petition filed Under Order XLI Rule 19 r/w Section 151 of Civil Procedure Code, to restore the above Second Appeal which was dismissed for non-prosecution on 24.1.2019 to file and pass such further or other orders as this Court.

Prayer in SA(MD). 173/ 2008 :-

The Second Appeal filed Under Section 100 and Order XLII Rule 1 Civil Procedure Code, against the Judgment and Decree dated 27/04/2007 and made in AS.12/2006 on the files of the Principal Subordinate Judge of Tirunelveli against the Judgment and Decree made in OS.580/2004 dated 06/10/2004 on the files of the Court of the 2nd Additional District Munsif of Tirunelveli.

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 Thiru.V.Kalaichamy , Advocate for the Petitioner and of Thiru.S.P.Maharajan, Special Government Pleader for the 4th respondent and not appearing either in person or by Advocate for 1 to 3rd Respondents, this Court made the following order:

“As directed by this Court earlier on 07.04.2025, cost is paid. Memo has also been filed to that effect. Recorded.



CMP(MD). No.814 of 2019

2. In view of the same, this petition is allowed. The second appeal is restored to the file and list the matter in the usual course.

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Sd/-
Assistant Registrar (C.O)

/2025
Sub Assistant Registrar
(CS - I/ II / III /IV)

TO

1. The Principal Subordinate Judge,
Tirunelveli.
2. The II Additional District Munsif,
Tirunelveli.
3. The President,
Central Government Employees
Co-Operative Building Society Ltd. No.2186
Having its Regd. Office at Tirunelveli.
4. Tirunelveli Municipal Corporation,
Through its Commissioner S.N.High Road
Tirunelveli.

Copy to:

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

BEFORE THE MADURAI BENCH OF
MADRAS HIGH COURT



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CMP(MD). No.814 of 2019

ORDER DATED : 29/04/2025

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ORDER

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CMP(MD). No.814 of 2019

Giving direction and etc.
as stated within.

AVK/20.05.2025 4P/6C

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