



C.M.P.(MD)No.3771 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday the Fifth day of March Two Thousand and Twenty Five

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

C.M.P.(MD)No.3771 of 2025

in

S.A.(MD)No.376 of 2007

S.Kumaresan

..Petitioner/ Appellant

VS.,

1. A.Alagan

2. S.Soori

..Respondents/ Respondents

Prayer in CMP(MD). 3771/ 2025 : This Civil Miscellaneous Petition filed under Order 41 Rule 19 of Civil Procedure Code, to set aside the order of dismissal for default dated 29.04.2024 passed in S.A(MD) No.376 of 2007, on the file of this Honourable Court and restore the same to the file.

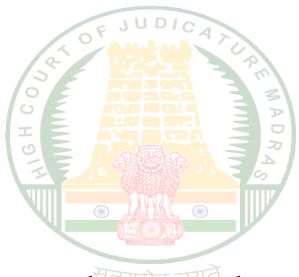
Prayer in SA(MD). 376/ 2007 :

This Second Appeal filed under Section 100 of Civil Procedure Code against the decree and the Judgment dated 29.11.2006 rendered in AS.155/2006 on the file of the Principal Sub Judge, Madurai, reversing the decree and the Judgment dated 24.4.2006 rendered in OS.513/2004 on the file of the District Munsif, Melur.

ORDER:- This Civil Miscellaneous petition coming on for orders on this day and

upon perusing the petition and the affidavit filed in support thereof and upon

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hearing the arguments of M/s.P.Jessi Jeeva Priya, Advocate for the Petitioner and of Mr.C.Selvaraj, Advocate for the Respondent 1, and Mr.Santhosh Uthaman, Advocate for Respondent 2, this Court made the following order:

"Being Satisfied with the reasons stated in the affidavit filed in support of this petition and since the arguments on the side of the appellant is commenced, this petition stands allowed. The order of dismissal passed by this Court dated 29.04.2024 in the main second appeal is hereby set aside and the appeal is restored to file.

2.List the main appeal on 10.03.2025."

Sd/-

Assistant Registrar (CS.III)

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/03/2025

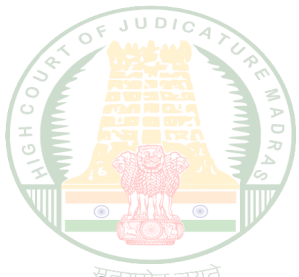
Sub Assistant Registrar
(CS-I/II/III/IV)

TM

TO

1.The Principal Subordinate Judge,
Madurai.

2.The District Munsif,
Melur.



C.M.P.(MD)No.3771 of 2025

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

ORDER DATED : 05.03.2025

HEARING DATE: 10.03.2025

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ORDER
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C.M.P.(MD)No.3771 of 2025

in

S.A.(MD)No.376 of 2007

Giving direction and etc.
as stated within.

SL(12.03.2025)/ 3P/ 4C

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