



CMP(MD). No.11768 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Twenty Eighth day of August Two Thousand and Twenty Five

PRESENT
THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

CMP(MD). No.11768 of 2024
in
SA(MD) No.471 of 2021

N.Chidambaram .. Petitioner/ Appellant

Vs

1.R.Chitra
2.R.Gowtham .. Respondents/ Respondents

Prayer in CMP(MD). No.11768 of 2024 :-

This Civil Miscellaneous Petition filed under Order 41 Rule 19 r/w 151, C.P.C.,
praying this Court, to Set aside the order dated 29.07.2024 passed in SA(MD).
No.471 of 2021.

Prayer in SA(MD). 471/ 2021 :

This Second Appeal filed under section 100 of C.P.C., praying this Court, to set
aside the decree and judgment passed in AS No.5 of 2020 on the file of the learned
Sub Court, Aranthangi dated 27.01.2021 confirming the decree and judgment passed

<https://www.mhc.tn.gov.in/judis>



CMP(MD). No.11768 of 2024

in OS No.117 of 2007 dated 19.12.2019 on the file of the learned District Munsif Court, Aranthangi.

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 hearing the arguments of Mr.K.Ilayaraja, Advocate for the Petitioner and of Mr.K.Suresh, Advocate for the respondents, this Court made the following order:

“This petition is filed to set aside the order dated 29.07.2024 passed in S.A.(MD)No.471 of 2021.

2. Heard.

3. The learned counsel for the petitioner submits that the petitioner engaged a Senior Counsel to argue the case, at that time, Senior Counsel engaged in another case and cannot appear in this case and hence, he prayed for allowing the petition.

4. In view of the reasons stated in the affidavit, which are found to be bona fide, C.M.P. (MD)No.11768 of 2024 is allowed and the order dated

<https://www.mhc.tn.gov.in/judis>



CMP(MD). No.11768 of 2024

29.07.2024 passed in SA(MD)No.471 of 2021 is set aside and the second
WEB COPY
appeal is restored”

Sd/-

Assistant Registrar (C.S. II)

// True Copy //

/ /2025

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

To

1. The Subordinate Judge, Aranthangi.
2. The District Munsif, Aranthangi.

Copy to:

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



WEB COPY



CMP(MD). No.11768 of 2024

ORDER DATED : 28/08/2025

=====

ORDER

=====

CMP(MD). No.11768 of 2024
in
SA(MD) No.471 of 2021

Giving direction and etc.
as stated within.

SB/08.09.2025/4P/4C

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