



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

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Wednesday, the Sixth day of August Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MS. JUSTICE R. POORNIMA

CMP(MD). No.1643 of 2025
in
SA(MD). No.279 OF 2008

M.Vakulambika

... Petitioner/ Appellant

Vs

1. R. Selvaraj (Died)

2 Kolammal,

3 M.Natarajan,

4 Kokila Devi,

5 N.Krishnammal,

6 Kanagam,
(R2 to R6 Exparte in
the Lower Court)

...Respondents/ Respondents

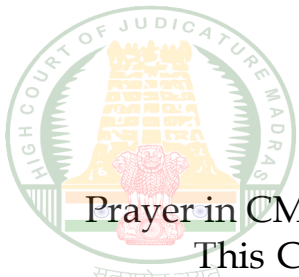
7 S.Thangam,

8 S.Raghu Raman,

9 S.Uma,

10 S.Muthu Raman,

...Respondents/
Proposed Respondents 7 to 10



Prayer in CMP(MD)No.1643 of 2025:-

This Civil Miscellaneous Petition is filed under Order 41 Rule 19 of C.P.C., to restore SA(MD) No.279 of 2008 on the file of this Honourable Court dismissed as abated on 19.07.2021.

Prayer in SA(MD)No.279 of 2008:-

This Second Appeal is filed Under Section 100 of C.P.C., against the Judgment and Decree in A.S.NO.20 of 2004 dated 06.03.2007 on the file of Sub Court, Padmanabhapuram reversing the Judgment and Decree in O.S.NO.1098 of 1995 dated 14.11.2003 on the file of Additional District Munsif, Eraniel.

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.C.Godwin, Advocate for the Petitioner and of Mr.P.Prabhakaran Advocate For Respondents R6 to R10, this Court made the following order:

This application in CMP(MD)No.1643 of 2025 have been filed to restore the second appeal in S.A.(MD)No.279 of 2008 on the file of this Court which was dismissed as abated on 19.07.2021.

2. It is seen that in filing this application there was a delay of 508 days and the delay had been condoned on 21.01.2025 in C.M.P.(MD)No.12752 of 2023.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition for restoration is ordered and the S.A.(MD)No.279 of



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4. Registry is directed to restore the S.A.(MD)No.279 of 2008 and list the matter for hearing the appeal on 21.08.2025.

Sd/-

Assistant Registrar(C.O.)

// True Copy //

/ /2025

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

TO

1. The Subordinate Judge,
Padmanabhapuram
2. The Additional District Munsif,
Eraniel

Copy to:

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



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ORDER DATED : 06/08/2025

Hearing Dated : 21/08/2025

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RESTORATION

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CMP(MD). No.1643 of 2025

IN

SA(MD).NO.279 OF 2008

Giving direction and etc.

as stated within.

MGJ (19.08.2025) 4P/ 4C

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