



CMP(MD). No.6530 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

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

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CMP(MD). No.6530 of 2025

in

AS(MD)SR.No.15191 of 2020

N.N.Mohamed Mydeen

... Petitioner

Vs

Syed Ali Fathima(Died),

1) Ahamad Nukkuman

2 Nabesha

3 Mahamudha

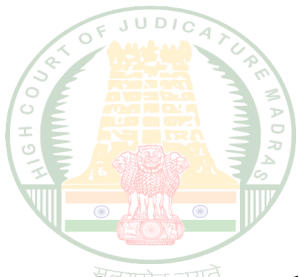
... Respondents

Prayer :-

Civil Miscellaneous Petition filed under order 41 rule 19 of CPC to set aside the order of dismissal dated 18-08-2022 made in C.M.P.(MD).No.3667 of 2021 in A.S.(MD).No.SR.15191 of 2020.

Prayer in AS(MD)SR.No.15191 of 2020:-

The Appeal suit is filed under Section 96 of Civil Procedure Code, to set aside the judgment and decree dated 20.08.2019 in O.S.No.46 of 2016 on the file of the Additional District Judge(FTC) Theni, with cost.



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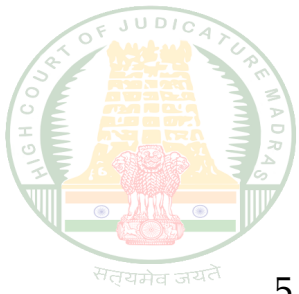
ORDER:- This Petition coming on for orders on this day and upon perusing the
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petition and the affidavit filed in support thereof and upon hearing the arguments of
Mr. K.K. Senthil, Advocate for the Petitioner and of Mr. M. Mohamed Ibram Saibu,
Advocate for M/s. Ajmal Associates for the respondents, this Court made the
following order:

'This Civil Miscellaneous Petition has been filed to set aside the order of
dismissal, dated 18.08.2022, made in C.M.P.(MD)No.3667 of 2021 in A.S.(MD)
SR.No.15191 of 2020 and restore the same on file.

2. Heard the learned counsel appearing on either side, and I have
perused the affidavit filed in support of this petition.

3. The learned counsel for the respondents has not raised any objection
to allow this petition.

4. Being satisfied with the reasons stated in the affidavit, this Civil
Miscellaneous Petition is allowed.



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5. Registry is directed to restore the Civil Miscellaneous Petition in C.M.P.(MD)No.3667 of 2021 and list the same in the 1st week of June, 2025.'

Sd/-

Assistant Registrar (CS.III)

// True Copy //

/ / 2025

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

mkn

TO

The Additional District Judge(FTC),
Theni.

Copy to:

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



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ORDER DATED : 22/04/2025

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ORDER

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CMP(MD). No.6530 of 2025
in
AS(MD)SR.No.15191 of 2020

Giving direction and etc.
as stated within.

SL(28.04.2025)/ 4P/ 3C

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