



CMP(MD) No.1605 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Monday, the Seventh day of April Two Thousand and Twenty Five
PRESENT

The HONOURABLE MR. JUSTICE G.ILANGO VAN

CMP(MD) No.1605 of 2025
IN
SA(MD) No.328 of 2008

Chellamani (Died)

1. J.Annakili

2 J.T. Deivaarasi

... Petitioners / Appellants

Vs

1 Chelladurai

2 Kalanchiam

3 Arumugam

4 Thangaraj @ Maharaja

5 Chellakani

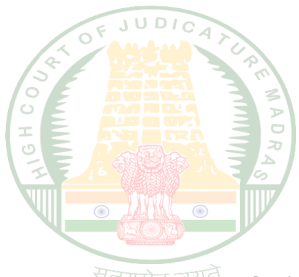
6 Arumugachamy

7 Thangaraja

... Respondent(s)

Prayer :-

Civil Miscellaneous Petition filed under Order 41 Rule 19 of C.P.C. to pass an order to set aside and restore the Second Appeal in SA(MD). No.328 of 2008 on the file of this Honourable Court which was dismissed for default on 15.02.2023.



CMP(MD) No.1605 of 2025

Prayer in S.A (MD).No.328 of 2008 :-

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This Second Appeal is filed under section 100 of the Civil Procedure Code, against the Judgment and Decree dated 05.06.2007 in A.S.No.21 of 2006 on the file of the Principal Sub Court, Tenkasi, confirming the judgement and decree dated 29.11.2005 made in O.S.No.403 of 2004 on the file of the Principal District Munsif Court, Tenkasi.

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 Mr.H.Arumugam, Advocate for the Petitioners and of Mr.V.S.Rishikesh, Advocate for the 6th and 7th respondents, this court made the following order :

'Being satisfied with the reasons stated in the accompanying affidavit, this Civil Miscellaneous Petition stands allowed and the order dated 15.02.2023, dismissing the SA(MD)No.328 of 2008 for default, is set aside.

2. Registry is directed to restore the Second Appeal on file and post before this Court on 12.06.2025.'

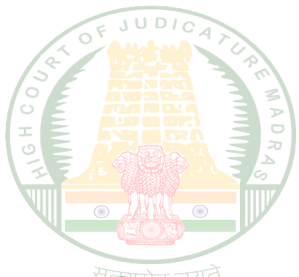
Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2025

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



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TO
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1. The Principal Subordinate Judge,
Tenkasi.
2. The Principal District Munsif,
Tenkasi.

Copy to:

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

ORDER DATED: 07/04/2025

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ORDER
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CMP(MD).NO.1605 of 2025
in
S.A.(MD).NO.328 of 2008

SK (02/05/2025) 3P / 4C

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