



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Civil Appellate Jurisdiction

Wednesday, the Nineteenth day of February

Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE G.ILANGO VAN

CMP(MD). No.149 of 2025 in
S.A.(MD)No.211 of 2006

1. C.Rajamanickam (Died)
2. Valli (Died)
3. C.Vijayarani
4. T. Rathinamala
5. R. Jegadeeswaran
6. P. Latha
7. M. Sasirekha
8. R. Vasuki
9. R. Saravanakannan
10. C. Pousala

... Petitioners/ Appellants

Vs



2 Mariam Bibi (Died)

3 C. Ramasamy

4 Velurammal (Died)

5 Pathumuthu Bivi (Died)

6 Mustafa (Died)

7 Akbubacker (Died)

8 Raziya Begum

9 Ragumath

10 Jonnath Bibi

11.Ameena

(Respondents 3 to 7 are given up
in this second appeal)

.. Respondents/ Respondents

Prayer :-

To set aside the order of dismissal passed in S.A.(MD) No.211 of 2006, on the file of this Honourable Court dated 13.09.2024 and to restore the same to file and thus render justice.

S.A.(MD)211 of 2006

Second Appeal filed under Section 100 of Code of Civil Procedure against the decree and judgment dated 18.4.2005 rendered in A.S. No. 36 of 2002, on the file of the III Additional Subordinate Court, Madurai confirming the decree and judgment



Madurai Taluk at Madurai.

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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 M/s P. Jessi Jeeva Priya Advocate for the Petitioner and of Mr. S.A.Ajmal Khan Respondents 8 to 11 and of Mr. K. Sulthan Allowdhin for R1 this Court made the following order:

This Civil Miscellaneous Petition is filed seeking set aside the order of dismissal passed in S.A.(MD)No. 211 of 2006, dated 13/09/2024 and to restore the same to file.

Learned Counsel for the respondents 8 to 11 would submit that he is ready to argue the main appeal.

So, this petition is allowed on payment of cost of Rs.5,000/- payable to the respondents 8 to 11.

Cost is also paid today itself by the appellants. So, the Registry is directed to restore the main appeal to its file.



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Today, the learned counsel for the appellant argued in full in the main appeal.

For hearing on the side of the respondents Post on 25/02/2025.

Sd/-

ASSISTANT REGISTRAR
(CS - III)

// True Copy //

/02/2025

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

TO

1. The III Additional Subordinate Judge,
Madurai
2. The District Munsif, Madurai Taluk at Madurai

Copy to:

1. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court, Madurai



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ORDER DATED : 19/02/2025

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ORDER
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CMP(MD). No.149 of 2025
in
S.A.(MD)No 211 of 2006

AS (21/02/2025) 5P/6 C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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