



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Thirteenth day of February, Two Thousand and Twenty Five

PRESENT
THE HONOURABLE MR.JUSTICE P.VADAMALAI

CMP(MD). No.2142 of 2025
in
AS(MD) No.48 of 2023

R. Jothivel ... Petitioner/ Appellant

Vs

R. Palanisamy ... Respondent/ Respondent

Prayer :-

Civil Miscellaneous Petition filed under Order 41 Rule 19 of Civil Procedure Code, praying this Hon'ble Court to set aside the order dated 27-09-2024 passed by this Honourable Court in the above A.S.(MD)No.48 of 2023 and restore the appeal on the file.

Prayer in AS(MD) No.48 of 2023:

Appeal Suit filed under Section 96 of Civil Procedure Code to set aside the judgment and decree dated 06.09.2022 passed in O.S.No.21 of 2019 on the file of the Principal District Judge, Karur and allow the present appeal.

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.V.Balaji, Advocate for the Petitioner and of

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

Mr.K.Suresh, Advocate for the respondent herein, this Court made the following



order:

This Civil Miscellaneous Petition has been filed to restore the Appeal Suit in A.S.(MD)No.48 of 2023, which was dismissed for default on 27.09.2024.

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 respondent has not raised any serious objection to this petition.

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

(Registry is directed to restore the Appeal Suit in A.S.(MD)No.48 of 2023 and list the same on 19.02.2025)

Sd/-

Assistant Registrar (CO)

// True Copy //

/02/2025

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

DKS

TO
The Principal District Judge,
Karur.



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.

ORDER DATED : 13/02/2025
HEARING DATE :19/02/2025
(Main Appeal)

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ORDER

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CMP(MD). No.2142 of 2025
IN
AS(MD) No.48 of 2023

KR/17.02.2025 3P/5C

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