

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 03<sup>rd</sup> DAY OF JUNE 2016

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

A.NO.4165 OF 2012

IN

A.NO.4493 OF 2011

IN

E.P.NO.113 OF 2006

IN

CS.NO.923 OF 2002

**E.P.NO.113 OF 2006**  
**IN CS.NO 923 OF 2002**

1.Dr.M.R.Muralikrishnan  
S/o.M.Ranganathan  
No.16, (Old No.18), Rajammal Street  
Shenoy Nagar, Chennai-600 030.

2.M.Arthi  
W/o.Dr.M.R.Muralikrishnan  
rep by her POWER OF ATTORNEY  
DR.M.R.Muralikrishnan  
NO.16, (Old No.18), Rajmmal Street  
Shenly Nagar, Chennai-600 030.

... Decree Holders

...Plaintiffs

-Versus-

K.S.Rajendran  
Son of K.Subramaniyan  
No.64, Gajapathy Street  
Shenoy Nagar  
Chennai-600 030.

... JUDGEMENT DEBTOR/DEFENDANT

**A.NO.4493 OF 2011**  
**IN A.NO.4165 OF 2012**

1.Dr.M.R.Muralikrishnan  
 S/o.M.Ranganathan  
 No.16, (Old No.18), Rajammal Street  
 Shenoy Nagar, Chennai-600 030.

2.M.Arthi  
 W/o.Dr.M.R.Muralikrishnan  
 rep by her POWER OF ATTORNEY  
 DR.M.R.Muralikrishnan  
 NO.16, (Old No.18), Rajmmal Street  
 Shenly Nagar, Chennai-600 030.

... Appellants/Applicants

-Versus-

K.S.Rajendran  
 Son of K.Subramaniyan  
 No.64, Gajapathy Street  
 Shenoy Nagar  
 Chennai-600 030.

.... Respondent/Respondent

Application praying that this Hon'ble Court be please  
 to condone the delay of 246 days in filing the appeal  
 against the order dated 21.12.2011 passed by the Learned  
 Master, High Court at Madras in Application No.4493 of 2011  
 in E.P.No.113 of 2006

This application coming on this day before this court  
 for hearing court made the following order:

The applicants are the plaintiffs/execution

petitioners. The application seeking to condone the delay of 246 days in filing the appeal against the order dated 21.12.2011 passed by the learned Master in A.No.4493 of 2011 in E.P.No.113 of 2006 was allowed by this Court on 26.04.2016 on terms. Today, the matter is posted for compliance.

2. The learned counsel for the applicants submitted that the order dated 26.04.2016 has been complied with by sending the demand draft directly to the respondent.

3. The learned counsel for the respondent submitted that the order passed on 26.04.2016 cannot be sustained in the eye of law and therefore, he would like to test the said order.

4. As the applicants had complied with the order dated 26.04.2016, this application is closed. However, this order will not stand in the way of the respondent in testing the order dated 26.04.2016, if he is so advised. It is also made clear that neither the order passed on 26.04.2016, the present order acknowledging the compliance will not stand in the

way of the respondent in contesting the application to be numbered after this application against the order passed in E.P., on merit .

sd/.M.M.S.J

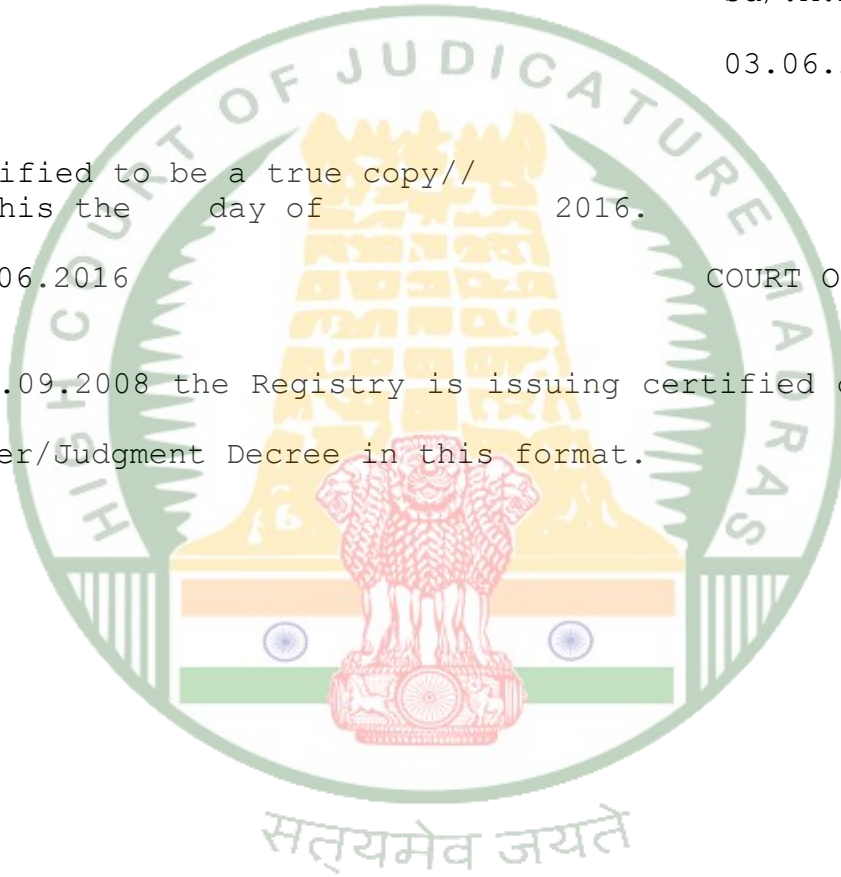
03.06.2016

//Certified to be a true copy//  
Dated this the day of 2016.

S.s/16.06.2016

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



WEB COPY