



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty Sixth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CMP(MD) No.518 of 2016

IN

CMA(MD) No.SR45090 of 2015

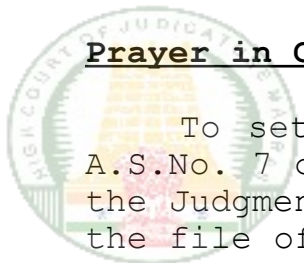
KATHIRESAN

... PETITIONER/APPELLANT

Vs

- 1 GOVINDASAMY
 - 2 INDUMATHI
 - 3 MINOR SARANYA,
D/O.LATE. RAMACHANDRAN, MELLAYUR, SIVAGANGAI DIST.
 - 4 MINOR.RAMYA
D/O.LATE. RAMACHANDRAN, MEELAYUR VILLAGE,
ILLAYANGUDI TK, SIVAGANGAI DIST TEMPORARILY
RESIDES AT M.P.T.M. COLONY, KARAIKUDI,
SIVAGANGAI DIST.
 - 5 MINOR.IYESWARYA
D/O.LATE.RAMACHANDRAN, MEELAYUR VILLAGE,
ILLAYANGUDI TK, SIVAGANGAI DIST TEMPORARILY
RESIDES AT M.P.T.M. COLONY, KARAIKUDI,
SIVAGANGAI DIST.
(M3 TO 5 MINOR RESPONDENTS REP THRO HIS LEGAL GUARDIAN
2ND RESPONDENT)
 - 6 IRULAYEE
 - 7 MINOR.KANNAN
S/O.LATE.MUTHURAKKU, MEELAYUR VILLAGE,
ILLAYANGUDI TK, SIVAGANGAI DIST.
 - 8 MINOR KALAIVANI
D/O. LATE.MUTHURAKU, MEELAYUR VILLAGE,
ILLAYANGUDI TK, SIVAGANGAI DIST
 - 9 MINOR.NITHYA
D/O.LATE. MUTHURAKU, MEELAYUR VILLAGE,
ILLAYANGUDI TK, SIVAGANGAI DIST
(7 TO 9 MINOR RES REP THRO HIS LEGAL GUARDIAN 6TH RESPONDENTS)
 - 10 MEENAKSHI
 - 11 ALAGU
 - 12 VASUKI
- ... RESPONDENTS/RESPONDENTS

Prayer in CMP(MD)No. 518 of 2016 : To condone the delay of 238 days in filing the CMA(MD)SR.45090 of 2015 against the impugned Judgment and Decree dated 10.09.2014 passed in A.S.No.7 of 2012 on the file of the Sub Court, Sivagangai remanding the Judgment and decree dated 19.10.2011 passed in O.S.No.50/2009 on the file of the District Munsif Court, Cum Judicial Magistrate Court, Illayangudi and thus render justice.



Prayer in CMA(MD) SR.No. 45090 of 2015 :

To set aside the Judgment and Decree dated 10.09.2014 made in A.S.No. 7 of 2012 on the file of the Sub Court, Sivagangai remanding the Judgment and decree dated 19.10.2011 passed in O.S.No.50/2009 on the file of the District Munsif Court Cum Judicial Magistrate Court, Illayangudi and thus render justice.

ORDER : This petition having been posted for orders on this day, for not having represented the batta with petition along with affidavit in the presence of Mr.D.PANNERSELVAM, Advocate for the petitioner and this Court having granted two weeks time as condition precedent and the said Advocate, not having complied with the said direction of this Court, it is ordered that this Appeal/Petition do stand dismissed against the respondent.

sd/-
Assistant Registrar (T&P)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DISTRICT MUNSIF
THE DISTRICT MUNSIF COURT
CUM JUDICIAL MAGISTRATE COURT, ILLAYANGUDI,
SIVAGANGAI DISTRICT.

2 THE SUBORDINATE JUDGE, SIVAGANGAI.

Date : 26/07/2016
ORDER IN
CMP(MD) No.518 of 2016
IN
CMA(MD) No.SR45090 of 2015

Dismissing the Civil
Miscellaneous Appeal for
default of Batta.

JA-SS-2-SAR.1-03.10.2016-2P:3C