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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Thirty First day of October Two Thousand and Eighteen

PRESENT

The Hon'ble Ms.Justice V.M.VELUMANI

CMA(MD) No.1031 of 2016

A.CHELLAMMA, (AGED 67 YEARS)
D/O.AMMAL,
PUDUKULAVARAMBU, ARUMANAI DESOM,
VILLAMCODE VILLAGE, ARUMANAI POST,
VILAVANCODE TALUK,
KANYAKUMARI DISTRICT.

PONNAN NADAR (DIED) ... APPELLANT

Vs

1 D.ENROSE,
S/O.DEVADOSS,
PAMPATTRUVILAI VEEDU,
THETTRIVILAI, MUZHUCODE DESOM,
ARUMANAI VILLAGE, ARUMANAI POST,
VILAVANCODE TALUK,
KANYAKUMARI DISTRICT.

2 R.RAVI,
S/O.RAYAPPAN,
THETTRIVILAI VEEDU,
MUZHUCODE DESOM, ARUMANAI VILL,
ARUMANAI POST, VILAVANCODE TALUK,
KANYAKUMARI DISTRICT. ... RESPONDENTS

PRAYER : Appeal filed under Order 43 Rule 1(U) of CPC to set aside the Judgment and Decree dated 27.02.2015 passed in A.S.No.62 of 2012 on the file of the Sub-Court, Kuzhithurai, Kanyakumari District, so far as setting aside the Judgment and Decree dated 25.08.2012 passed in O.S.No.421 of 2007 on the file of the II Additional District Munsif Court, Kuzhithurai, Kanyakumari District and remanding the case to the Trial Court.

ORDER : This Civil Miscellaneous Appeal coming on for hearing on this day and upon perusing the earlier order dated 17.11.2017 and the letter submitted by the II Additional District Munsif, Kuzhithurai in D.No.745/18, dated 01.10.2018, seeking extension of

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time, and upon hearing M/r.S.SAJI BINO, Advocate for the Appellant and the court made the following order:-

This petition has been listed today for extension of time for disposing O.S.No.421 of 2007, on the file of the II Additional District Munsif, Kuzhithurai.

2. This Court has already disposed of the Civil Miscellaneous Appeal by order dated 17.11.2017, directing the trial Court to dispose of O.S.No.421 of on or before 31.03.2018. There was a request from the learned trial Judge on 28.03.2018 for extension of time and the same was granted. Now, the learned Judge has again sought for further three months time. Hence, the matter was listed today.

3. Considering the averments made by the Court below, this Court is inclined to extend this time further.

4. Accordingly, the time for disposing O.S.No.421 of 2007, is extended for a further period of three months from the date of receipt of a copy of this order, finally. On passing orders in the said O.S.No.421 of 2007, the Court below is directed to report the same before this Court, within a period of 10 days, thereafter.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

TO

THE II ADDITIONAL DISTRICT MUNSIF,
KUZHITHURAI, KANYAKUMARI DISTRICT.

ORDER DATED : 31.10.2018

ORDER

CMA(MD) No.1031 of 2016

Giving direction time
extended three months.

TE/PM/SAR-2 : 22/11/2018 : 2P/2C

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