



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

Tuesday, the Nineteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
and

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.10667 of 2017

IN

WA(MD) No.SR46068 of 2017

1 G.KAVITHA
2 K.JANCHIRANI
3 C.THANGAM
4 M.JEYAM

... PETITIONERS/PETITIONERS

Vs

1 THE REVENUE DIVISIONAL OFFICER
MELUR DIVISION AT OTHAKADAI,
MADURAI DISTRICT .

2 R.MUTHULINGAM
3 M.MULLAI SELVAN

... RESPONDENTS / RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condoned the delay of 183 days in filing this appeal and thus render justice

PRAYER IN WA(MD) No.SR46068 of 2017:-

to allow the appeal and set aside the order passed in WP(MD) No.6778 of 2017 dated 13.04.2017.

Prayer in WP(MD). 6778/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus to call for the records in Ref.No. Na.Ka.No.2278/2016/C. quash the same and consequently direct the 1st respondent, not to taking any action in the Appeal pending before the 1st respondent.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.KUMARAVEL, Advocate for the petitioner and of Mr.S.A.AJMALKHAN, Advocate for R2, the court made the following order:-

(Order of this court was made by **K.KALYANASUNDARAM, J.**)

<https://hcservices.ecourts.gov.in/hcservices/>

This civil miscellaneous petition has been filed to condone



the delay of 183 days in filing the above writ appeal.

2. Heard Mr.K.Kumaravel, learned counsel for the petitioner, Mr.A.Ajmal Khan, learned counsel for the second respondent and perused the records.

3. Despite service of notice, the first respondent has not chosen to appear before this Court and the third respondent has given up.

4. Taking into consideration the reasons stated in the affidavit filed in support of this petition, this Court is inclined to condone the delay on terms that the petitioner shall pay a sum of Rs.1,500/- to the learned counsel for the second respondent and consequently, the learned counsel for the petitioner has also paid the cost to the learned counsel for the second respondent.

5. Accordingly, this civil miscellaneous petition is allowed.

6. The office is directed to number the appeal, if it is otherwise in order.

sd/-
19/12/2017

/ TRUE COPY /

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

TO

THE REVENUE DIVISIONAL OFFICER
MELUR DIVISION AT OTHAKADAI,
MADURAI DISTRICT .

JAM/22.12.17/PM/ SAR 4/2P-2C

ORDER
IN
CMP (MD) No.10667 of 2017
IN
WA (MD) No.SR46068 of 2017
Date :19/12/2017