



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

Monday, the Twenty Sixth day of November Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mr.Justice C.SARAVANAN

CMP(MD) No.10175 of 2018
IN
AS(MD) No.SR42631 of 2018

MUTHULAKSHMIAMMAL,

... PETITIONER/APELLANT

Vs

CHANDRAN,

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant leave for me to file this appeal as an indigent person and to pass such further or other orders which this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

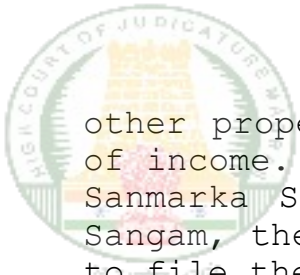
PRAYER IN AS(MD) No.SR42631 of 2018:-

To set aside the judgment and decree made in O.S.No.10 of 2016 dated 05.07.2018 on the file of the learned Additional District Judge(Fast Track Court), Palani, Dindigul District by allowing this appeal .

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MS.S.MUTHULAKSHMIAMMAL, Party -in- Person for the petitioner and of MR.D.MURUGANANTHAM, Additional Government Pleader on behalf of the Respondents the court made the following order:-

This petition is filed to grant leave for the petitioner to file this appeal as an indigent person.

2.In the affidavit filed in support of this petition, the petitioner states that the respondent in the appeal has filed the suit for specific performance before the Additional District Court, Palani, Dindigul District. By judgment and decree dated 5.7.2018, the suit for specific performance has been decreed in favour of the respondent. The petitioner has preferred an appeal as against the judgment and decree passed in O.S.No. 10 of 216. It is stated in the affidavit filed in support of this petition that the petitioner has



other property except the suit property and that she has no source of income. Since the petitioner is under the shelter of one Samarasa Sanmarka Sangam and she is living with the food provided by that Sangam, the present petition has been filed to permit the petitioner to file the appeal as indigent person.

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3. The learned Additional Government Pleader on instruction states that the petitioner is unmarried and except a brother the petitioner has no other relatives. Though the petitioner owns a tile house and an extent of 2 hectares of land in the village, it is admitted that the petitioner has not resided in the said house and that the landed property owned by the petitioner is the subject matter of the suit filed for specific performance.

4. From the report of the Tahsildar, it is seen that the petitioner is at present living in Samarasa Sanmarka Sangam. The petitioner has no other relatives. It is evident from the statement given by one Manimegalai, who is a resident of the Village.

5. Having regard to the financial status and the fact that the petitioner is at present under the care and protection of voluntary organization, this Court is inclined to allow this petition.

6. In the result, this petition is ordered as prayed for.

sd/-
26/11/2018

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

TO

1 THE ADDITIONAL DISTRICT
(FAST TRACK COURT), PALANI, DINDIGUL.

+1. C.C. to MS.S.MUTHULAKSHMIAMMAL Advocate SR.No.



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ORDER

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Date :26/11/2018