



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

Thursday, the Twenty Eighth day of March Two Thousand Nineteen

Present

The Hon`ble Mrs.Justice J.NISHA BANU

WEB COPY

CMP(MD). No.2113 of 2019
in C.M.S.A. SR(MD) NO.50284 of 2014

SIRUMALAI, THENMALAI,
MLAITHOTTA SIRU VIVASAYIKAL SANGAM,
(REG.NO.49/2000),
REP BY ITS PRESIDENT,
N.V.PALANI

- 1 V.VELLAISAMY,
- 2 V.CHINNATHAMBI
- 3 V.VELLAIYAN S/O.VEERANAN AMBALAM
- 4 V.LAKSUMAR
- 5 V.AYYAVU
- 6 V.PALANI
- 7 L.SELVARAJ
- 8 C.VELAIKALAI
- 9 V.VEERAN
- 10 V.PARAMAN
- 11 V.KANNUSAMY
- 12 C.VELIYAR
- 13 G.PAULSAMY
- 14 P.GURUSAMY GOUNDER
- 15 A.CHINNA PONNU
- 16 V.CHITHAMBARAM
- 17 K.LAKSHMIAMMAL
- 18 K.THOTHAN AMMABALAM
- 19 A.PALANI
- 20 C.PERUMAL
- 21 S.THANGAVEL
- 22 C.RAMASAMY
- 23 T.RAJENDRAN
- 24 S.BABY @ PETCHIAMMAL
- 25 T.MANOCHARAN
- 26 M.DHANALAKSHMI
- 27 A.JOSEPH
- 28 A.POOSARI PITCHAN
- 29 N.NEHRU VENKATRAJ
- 30 C.DHARIEES
- 31 V.SHANMUGAM
- 32 V.ARUMUGAM
- 33 C.DHANUESLAIS
- 34 C.RAJAMANI
- 35 S.PARIRAO
- 36 V.KRISHNAKUMARI



37 N.PONNAMMAL
38 C.CHINNAPPAN
39 R.CHINNAIYA
40 R.MUTHAMMAL
41 D.VISALAKSHI
42 K.MAHALAKSHMI
43 K.CHINNIYAN
44 N.ALAGAMMAL
45 T.CHINNAMMAL
46 S.KUNNAN
47 A.VELLIMALAI
48 P.ALAGAR
49 C.SELVARAJ
50 V.BOOPATHI
51 S.MUTHUGOPALAN
52 K.MUTHUSAMY
53 S.AROCKIYAM
54 K.ELUMALAI
55 M.KARUTHAVEERAN
56 M.RAJMANIYAM
57 A.AROKIYAMARI
58 A.RAMAN
59 G.SAVARIYAR
60 J.KULANTHAI THARASU
61 X.SUSILA MARI
62 A.XAVIER
63 A.AGESTEENSELVARAJ
64 P.JEYARAJ
65 K.A.JOSEPH
66 Y.FATHIMA MARI
67 A.SOOSAIYAMMAL
68 D.PILLOMEENA MARI
69 A.PANNEERSELVAM
70 S.PONNUBATCHA
71 K.VISWANATHAN
72 K.ALGUMALAI
73 K.BAKERIS BEEVI
74 P.RAJEDRAN
75 V.SURENDRAN
76 A.MOHAMMED ZERF
77 C.MALAYANDI
78 K.KASIM
79 M.NATCHAMMAL
80 K.ALAGU S/O.KATTALAGU
81 P.PATCHIAMMAL
82 A.PALANISAMY S/O.ALAGAN AMBALAM
83 R.PALANISAMY S/O.RAMASAMBAN
84 G.KARUPPAIYA
85 S.MUTHAIYA
86 S.ARUMUGAM
87 K.SARAVANAN
88 G.PONNAIYA
89 T.MADATCHA
90 K.VELLAIYAN S/O.KARUPPAN



91 M.CHINNU
92 M.ANDI S/O.MALAYANDI AMBALAM
93 K.ANDI S/O.KARYPPAN AMBALAM
94 N.POOSAMY,
95 K.ALAGU S/O.KARUPPAN AMBALAM
96 K.KATHAMUTHU
97 S.MOHAMMED ALI
98 S.PADMAVATHI
99 M.VELLIMALAI
100 P.CHITHAMBARAM
101 S.DEVARAJ
102 V.NATCHAN
103 N.VEERAN AMBALAM

... PETITIONERS/APPELLANTS

Vs

TALUK FOREST OFFICER,
SIRUMALAI WEST FOREST AREA,
NEW AKRAHARAM, NEAR ABIRAMI THEATRE,
DINDIGUL.

... RESPONDENT/RESPONDENT

PRAYER:-

Civil Miscellaneous Petition filed under order IV Rule 9(4) of AS Rules seeking to condone the delay of 1348 days in the representing above CMSA SR.No.50284 / 2014.

PRAYER IN CMSA(MD) No.SR50284 of 2014:

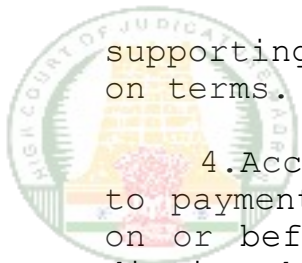
Civil Miscellaneous Second Appeal is filed Under Section 100 of CPC R/W 10(2) of Tamil Nadu Forest Act against the order dated 17.02.2014 made in C.M.A.No.29 of 2000 on the file of the Principal District Judge, Dindigul confirming the order in Na.Ka.No.83 of 1984 dated 26.06.2000 made by the Forest settlement officer, Dindigul.

ORDER : This Civil Miscellaneous petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.LAJAPATHI ROY, Advocate for the petitioner, and this court made the following order:-

This petition is to condone the delay of 1348 days in representing the second appeal.

2.The petitioner in the supporting affidavit filed for the delay would state that though appeal papers were returned for certain corrections, due to his bad health condition, he could not contact the lower court counsel to rectify the defects pointed out by the Registry. Therefore, the above days of delay occurred and prayed to condone the same.

3.Considering the age of the petitioner who is aged 70 years ~~in the capacity as President of Sirumalai, Thenmalai Malaithotta Siru Viviasaykal Sangam and also the reasons stated in the~~ appeal has been filed by the petitioner/appellant



supporting affidavit, this Court is inclined to condone the delay on terms.

4. Accordingly, delay of 1348 days shall stand condoned subject to payment of cost of Rs.3,000/- to the Chief Justice Relief Fund on or before 11.04.2019, failing which, this petition shall stand dismissed automatically without further reference to the court.

WEB COPY

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

TO

1. TALUK FOREST OFFICER,
SIRUMALAI WEST FOREST AREA NEW AKRAHARAM
NEAR ABIRAMI THEATRE DINDIGUL.

2. PRINCIPAL DISTRICT JUDGE, DINDIGUL

Copy to:

1. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

2. The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 28/03/2019

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ORDER
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CMP(MD). No.2113 of 2019
in
C.M.S.A. SR(MD) NO.50284 of 2014

Giving direction and etc.
as stated within.

MR(CO)

TR (10.06.2019) 4P 5C