



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

Monday, the Eighteenth day of March Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

C.M.P (MD) Nos.3542 and 3544 of 2017

in

A.S (MD) Nos.SR4487 and SR4493 of 2017

THE REVENUE DIVISIONAL OFFICER
KUMBAKONAM, THANJAVUR DISTRICT.

... PETITIONER/APPELLANT
IN BOTH THE PETITIONS

Vs

IYYAPPAN

... RESPONDENT/CLAIMANT
in CMP(MD). 3542/ 2017
in A.S (MD) No.SR4487 of 2017

KALIYAPERUMAL

... RESPONDENT/CLAIMANT
in CMP(MD). 3544/ 2017
in A.S (MD) No. SR4493 of 2017

Prayer in CMP(MD). 3542/ 2017 :

To condone the delay of 336 days in filing the Appeal against the decree and judgment in LAOP.No.45 of 2002 dated 28/09/2015 on the file of the Principal Sub Judge, Kumbakonam.

Prayer in CMP(MD). 3544/ 2017 :

To condone the delay of 336 days in filing the Appeal against the decree and judgment in LAOP.No.48 of 2002 dated 28/09/2015 on the file of the Principal Sub Judge, Kumbakonam.

PRAYER IN A.S (MD) No.SR4487 of 2017:

To set aside the decree and judgment in L.A.O.P.No.45 of 2002 dated 28.09.2015 passed by the Learned Principal Sub Court, Kumbakonam allow the appeal thus render justice.

PRAYER IN A.S (MD) No. SR4493 of 2017:

To set aside the decree and judgment in L.A.O.P.No.48 of 2002 dated 28.09.2015 passed by the Learned Principal Sub Court, Kumbakonam allow the appeal thus render justice.

ORDER: These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.J.GUNASEELAM MUTHIAH, Government Pleader



for the petitioner in both the petitions and of MR.T.R.SUBRAMANIAN, Advocate for the Respondent in both the petitions, the court made the following order:-

These petitions are filed to condone the delay of 336 days in filing the appeals against the decree and judgment dated 28.09.2015 passed in L.A.O.P.Nos.45 and 48 of 2002 on the file of the Principal Subordinate Judge, Kumbakonam.

2.Mr.T.R.Subramanian, learned counsel takes notice for the respondent.

3.In fact, before the trial Court L.A.O.P was disposed in the year of 2015. Hence, considering the period, the petitioner is directed to deposit the entire amount of compensation to the credit of L.A.O.P.No.45 of 2002 before the Principal Sub Court, Kumbakonam within a period of four weeks from the date of receipt of a copy of this order. Failing which, these petitions shall stand dismissed automatically without any further reference to the Court.

4.with the above said direction, these petitions are allowed.

sd/-
26/03/2019

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

TO

THE PRINCIPAL SUBORDINATE JUDGE,
KUMBAKONAM.

+2. C.C. to M/S.T.R.Subramanian, Advocate SR.No. 5087 & 5088

ORDER
IN

C.M.P (MD) Nos.3542 and 3544 of 2017
in
A.S (MD) Nos.SR4487 and SR4493 of 2017

JM/PN/SAR 4/02.04.2019/2P/4C