

C.M.P.No.7259 of 2016
in C.R.P.SR.No.31519 of 2016

S.VAIDYANATHAN,J.

This Civil Miscellaneous Petition is filed to condone the delay of **1042 days** in filing the above Civil Revision Petition.

2. Learned counsel appearing for Respondents 1 to 3 submitted that, the exparte final decree was passed in 2001 and that, the Petitioners having slept over the matter, have come up with this Petition with a delay of 1042 days, more particularly, when Patta has been issued by the Government with regard to the landless poor.

3. Mr.S.Prabhu, learned Additional Government Pleader for the Petitioners/State, on instructions, submitted that, the possession of the Respondents will not be disturbed, till the issue is decided on merits.

4. In reply, learned counsel appearing for Respondents 1 to 3 submitted that, apart from the present delay of 1042 days, there is a delay of more than 10 years to restore the main matter, and hence, the Court need not show any indulgence and that, this Petition may be dismissed. He went on to state that, in case, the Court is inclined to accept the plea of the Petitioner, huge costs may be imposed.

5. Since there is a huge delay, this Court is of the view that, persons, who are said to have been issued with Patta and who have been in possession for years, shall not be disturbed till the Original Suit is decided.

6. In view of the above and taking note of the reasons stated in the Affidavit accompanying this Petition, **this Miscellaneous Petition is ordered, as prayed for, subject to payment of costs of a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to “The Cancer Institute, Canal Bank Road, Gandhi Nagar, Adyar, Chennai,” on or before 22.06.2020.** Proof of payment of costs shall be filed into the Registry **on or before 24.06.2020.**

7. If costs are paid, Registry is directed to number the Civil Revision Petition, if it is otherwise in order and **list the same for admission on 26.06.2020.** It is made clear that, if costs are not paid, the Civil Miscellaneous Petition will stand automatically dismissed.

सत्यमेव जयते

01.06.2020

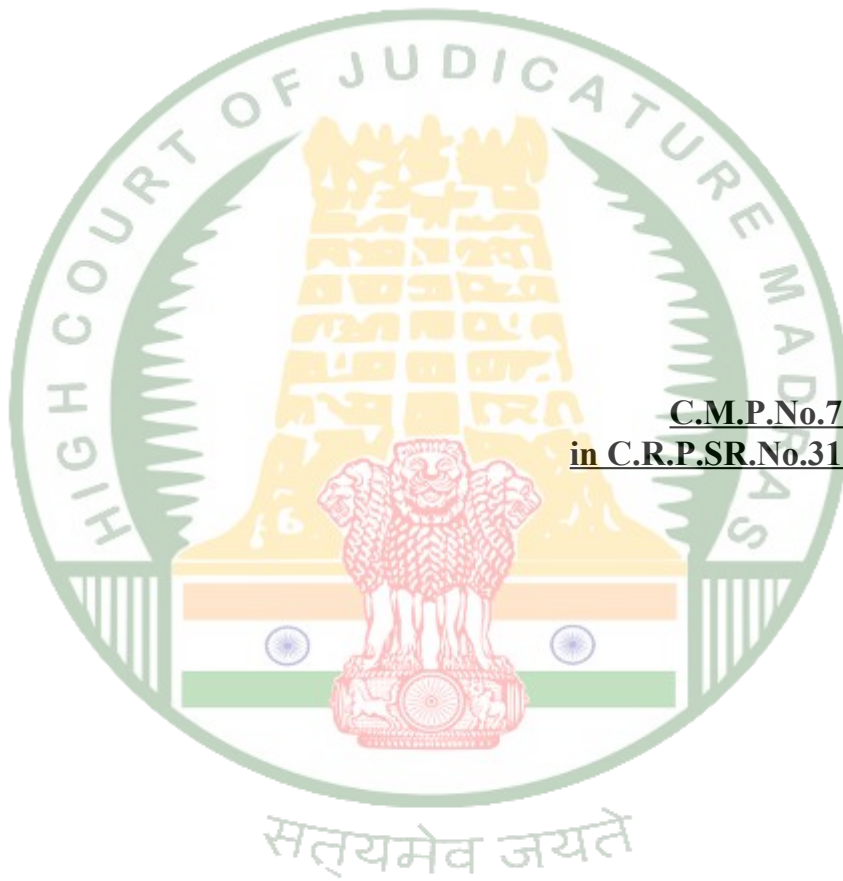
(aeb)

Note to Registry: Issue copy of this order on or before **05.06.2020** and upload the same in the official website, forthwith.

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Dated: 01.06.2020