



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Sixteenth day of September Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE G.CHANDRASEKHARAN

CMP.No.12238 of 2021

IN CRP.(NPD).NO.150 of 2021

1 THE DISTRICT COLLECTOR, [PETITIONERS]
ARIYALUR.

2 THE THASILDHAR,
JEYAMKONDAM.

3 THE COMMISSIONER,
PANCHAYAT UNION, ANDIMADAM.

4 THE PRESIDENT,
VILLAGE PANCHAYAT BOARD,
DEVANUR.

Vs

VAITHIALINGAM [RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant extension of time by Four more weeks to comply with the order dated 03.06.2021 passed by the Hon'ble High Court in CRP NPD No.150/2021 and thus render justice.(IN CMP.NO.12238/2021)

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.EDWIN PRABAKAR, GOVERNMENT ADVOCATE for the petitioners, the court made the following order:-

This Petition is filed seeking extension of time for payment of costs as ordered by this Court on 03.06.2021.

2. On 03.06.2021, this Court passed the following order:-

"In view of the above observations, the Civil Revision Petition is allowed and the order dated 05.08.2019 in I.A.No.1299 of 2018 in A.S.No.56 of 2017, passed by the Sub Judge, Jayankondan is set aside.



I direct that A.S.No.56 of 2017 be restored on file, subject to payment of costs as indicated above, and the Learned Sub Judge, Jayankondam may dispose it in manner approved by law and on merits, without being swayed by any of the observations made herein. I am confident that cooperation would be extended by the Learned Government Advocate for the Appellants any by the Learned Counsel for the Respondent in this regard."

3. The Learned Counsel for the petitioner submitted that the petitioner being the District Collector and other Government Officials had to follow certain procedural formalities for getting approval for payment of costs. That apart, due to impact of Corona, they were engaged in corona relief operation and there was a delay in paying the costs as directed by this Court on 03.06.2021.

4. Now, it is submitted by the Learned Counsel for the petitioner that, they are ready with the Demand Draft and the Learned Counsel for the respondent is refusing to receive the Demand Draft. Therefore, prays for extension of time.

5. Considering the reasons stated by the Learned Counsel for the petitioner and finding, the reasons appears to be genuine, this Court in the interest of justice and to give an opportunity to the petitioners to prosecute the suit in A.S.No.56 of 2017, extends time already granted by this Court and directs the petitioner to handover the demand draft for Rs.25,000/- to the respondent on or before 22.09.2021. If the respondent refuses to receive the Demand draft, the Learned Counsel for the petitioner is directed to deposit the above said demand draft to the credit of A.S.No.56 of 2017, on the file of Sub Court, Jayamkondam. On such deposit, the Appeal suit may be restored and disposed on merits and in accordance with law. In the event of deposit before the Lower Court, the respondent is entitled to receive the same on filing appropriate application. Accordingly, the Civil Miscellaneous Petition is ordered.

-sd/-

16/09/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.



TO

THE SUBORDINATE JUDGE,
JAYANKONDAM.

WEB COPY

Order
in

CMP.No.12238 of 2021

IN CRP.(NPD).NO.150 of 2021

Date :16/09/2021

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