



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Twenty Seventh day of July Two Thousand Twenty One

PRESENT

THE HON`BLE MS. JUSTICE P.T.ASHA

CMP Nos.14956 & 14957 of 2018

in SA Nos.372 & 373 of 2008

CHINNAPONNAMMAL

[PETITIONER IN BOTH THE PETITIONS]

Vs

1 KRISHNAMURTHY

[RESPONDENTS IN BOTH THE PETITIONS]

2 LOGANAYAH

3 MUTHUIKRISHNAN

4 VINAYAGAMURTHY

5 SARAVANAN

6 VIJAYA

7 SHANTHI

8 SUMATHI

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order condoning the delay of 2479 days in filing the application to restore the appeal SA.No. 372/2008 which was dismissed on 23/09/2011 against the respondents 1,3,5,7 and 8. (CMP.NO.14956/2018 in SA.NO.372/2008) AND

(II) To pass an order condoning the delay of 2479 days in filing the application to restore the appeal SA.No. 373/2008 which dismissed on 23/09/2011 against the respondents 1,3,5,7and 8. (CMP.NO.14957/2018 in SA.NO.373/2008)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.GURURAJ, Advocate for the petitioner in both the petitions the court made the following order:-



The applications are filed to condone the delay of 2479 days in filing the application to restore the appeals. It appears that since notice was not effected on Respondents 1,3,5,7 and 8, the Second Appeals had been dismissed on 23.09.2011. This order was noticed by the learned counsel only when the matter was listed on 20.07.2018 for final disposal. Immediately, the application for restoring the appeals against respondents 1,3,5,7 and 8 was filed. However, in the interregnum, there was a delay of 2479 days. The delay has been explained in paragraph-3 of the affidavits filed in support of the applications. However, considering the long delay, the applications are ordered on condition that a sum of Rs.2000/- as costs, shall be paid to the Chief Justice Relief Fund on or before 09.08.2021.

2.The private notice sent to the third respondent has been served. Therefore, now notice has been completed in respect of all respondents.

3.For reporting compliance, post the matter on 10.08.2021.

-sd/-
27/07/2021
/ TRUE COPY /

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

TO
1 THE DISTRICT MUNSIF
PANRUTI

2 THE SUBORDINATE JUDGE
PANRUTI

3 THE SECTION OFFICER,
ACCOUNTS SECTION,
HIGH COURT, CHENNAI-104

Order

in
CMP Nos.14956 & 14957/2018
in SA Nos.372 & 373 of 2008

Date :27/07/2021

From 26.2.2001 the Registry is issuing certified
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DV (03/08/2021)