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C.R.P.(NPD).No.4274 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE **S.KANNAMMAL**

C.R.P.(NPD).No.4274 of 2017

and

C.M.P.No.20043 of 2017

[Video Conferencing]

1.Sadaiya Naicker

2.Muniyammal

... Petitioners

vs.

Kannammal (died)

1.Senthamarai @ Mallika

2.Soundararajan

3.Sasikala

[cause title accepted vide order of this Court,
dated 23.12.2016 in C.M.P.No.18315 of 2016]

... Respondents

Prayer:- This Civil Revision Petition filed under Section 115 of the Civil Procedure Code, against the fair and decreetal orders dated 28.04.2016 in I.A.No.79 of 2014 in unnumbered A.S. of 2014, on the file of the Sub Court, Cheyyar.

For Petitioners : Mr.P.Mani

For Respondents : Mr.K.G.Senthilkumar



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ORDER

This Civil Revision Petition is filed, against the fair and decreetal orders dated 28.04.2016 in I.A.No.79 of 2014 in unnumbered A.S. of 2014, on the file of the Sub Court, Cheyyar.

2.Heard the learned counsel for the parties.

3.The learned counsel for the petitioners would submit that this Civil Revision Petition has been preferred against the order passed in I.A.No.79 of 2019 in dismissing the petition for condoning the delay of 379 days. The learned counsel for the petitioners would further submit that the petitioners suffered from Jaundice and hence could not file the appeal in time. It is also submitted that this petition may be allowed on any terms.

4.The learned counsel for the respondents objected seriously that the reason for the delay stated in the petition shall not be taken into consideration and sought for dismissal of the petition.

5.Considering the facts and circumstances of the case, this Court is inclined to allow this Civil Revision Petition subject to the payment of cost of



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Rs.5,000/- [Rupees Five Thousand Only] to the respondents within a period of four weeks from the date of receipt of a copy of this Order.

6.This Civil Revision Petition is ordered accordingly. Consequently, the connected miscellaneous petition is closed.

22.12.2021

ssi

Index:Yes/No

Internet:Yes/No

To:

1.The Sub Judge, Cheyyar.

2.The Section Officer,
V.R.Section,
High Court of Madras.



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S.KANNAMMAL,J.
ssi

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