



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

Wednesday, the First day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Ms.Justice P.T.ASHA

CMP(MD) No.2399 of 2020

IN

CRP NPD No.325 of 2004

VIRUDHUNAAR AYIRA VYSIA KASUKKARA
CHETTIARGAL MAHA SABAI,
THROUGH ITS SECRETARY,
K.CHANDRASEKARAN

... PETITIONER

Vs

1 FRANCIS KANI NADAR (DIED),
2 ARULRAYAN

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Condone the delay of 1309 days in filing the restoration application.

PRAYER IN CRP NPD No.325 of 2004:

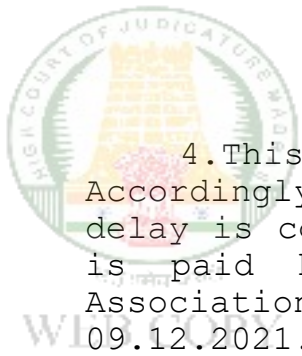
To set aside the order dated 25.08.2003 passed in R.C.A.No.1 of 2000 on the file of the Subordinate Judge(Appellate Authority), Virudhunagar, reversing the order dated 10.11.1999 passed in R.C.O.P.No.6 of 1996, on the file of the District Munsif (Rent Controller) Virudhunagar, by allowing this Civil Revision Petition.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.P.JESSI JEEVA PRIYA, Advocate for the petitioner and of MR.M.S.SURESH KUMAR, on behalf of the 2nd Respondent, the court made the following order:-

The above petition is filed to condone the delay of 1309 days in filing the restoration application.

2.The said petition was vehemently opposed by the respondents stating that the reason given in the affidavit was totally incorrect and contrary to the records.

3.The learned counsel appearing for the petitioner would submit that by an oversight the said error in the affidavit filed in support of the petition has occurred and that the claim need not be



4.This court is inclined to accept the explanation. Accordingly, this civil miscellaneous petition is allowed and the delay is condoned subject to the condition that a sum of Rs.5,000/- is paid by the petitioner to the credit of Women Advocate Association(WAA), Madurai Bench of Madras High Court on or before 09.12.2021.

5.Post the matter on 10.12.2021 for reporting compliance.

sd/-
01/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SUBORDINATE JUDGE (APPELLATE AUTHORITY),
VIRUDHUNAGAR.

2 THE DISTRICT MUNSIF (RENT CONTROLLER),
VIRUDHUNAGAR.

COPY TO:
THE OFFICER INCHARGE,
WOMEN ADVOCATE ASSOCIATION(WAA),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.2399 of 2020
IN
CRP NPD No.325 of 2004
Date :01/12/2021

cp
MK/PN/SAR.IV/08.12.2021/2P/4C