



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

Monday, the Twenty Ninth day of March, Two Thousand and Twenty One

PRESENT

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The Honourable Mrs.Justice T.KRISHNAVALLI

CMP(MD). Nos.4704 and 4709 of 2020

in

CRP(MD) No.981 OF 2018

Sangan

... Petitioner/petitioner

Vs

1. Muthazhagu

2. The District Collector,
Office of District Collector,
Sivagangai Town,
Sivagangai District.

3. The Tahsildar,
Ilyankudi Taluk and Town,
Sivagangai District.

... Respondents/Respondents

Prayer in CMP(MD) No.4704/2020 :-

Petition filed under Section 5 of Limitation Act, praying this Honourable Court to Condone the delay of 594 days in seeking to set aside the order dated 10.07.2018 in CRP(MD).No.981 of 2018.

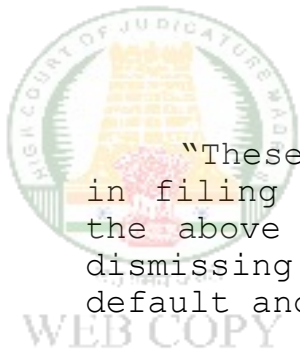
Prayer in CMP(MD) No.4704/2020 :-

Petition filed under Order 9 Rule 9 of Code of Civil Procedure, praying this Honourable Court to set aside the order dated 10.07.2018 dismissing the civil revision petition in CRP(MD) No.981 of 2018 for default and to restore the same to file.

Prayer in CRP(MD) No.981 of 2018:

Petition filed under Article 227 of the Constitution of India, praying this Honourable Court to call for the records relating to the impugned fair and decreetal order dated 08.03.2018 made in I.A. No.222 of 2017 in O.S. No.35 of 2016 on the file of the District Munsif - cum - Judicial Magistrate Court, Ilayankudi and set aside the same.

ORDER:- These Civil Miscellaneous Petitions coming on for orders on this day and upon perusing the petitions and the affidavits filed in support thereof and the earlier order of this court and upon hearing the arguments of Mr.S.Srinivasa Raghavan, Advocate for the Petitioner, Mr.B.Prahalad Ravi, Advocate For R1 and of Mr.J.Gunaseelan Muthiah, Additional Government Pleader appearing on behalf of R2 and R3, this Court made the following order:



"These petitions are filed (i) to condone the delay of 594 days in filing the petition to set aside the order dated 10.07.2018 in the above petition; (ii) to set aside the order dated 10.07.2018 dismissing the civil revision petition in CRP(MD)No.981 of 2018 for default and to restore the same to file.

2.No serious objections were raised by the learned counsel appearing for the respondents

3.Being satisfied with the reasons stated in the affidavit filed in support of these petitions and in the interest of justice, these petitions are allowed on payment of Rs.1,000/- (Rupees Thousand only) to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), **on or before 16.04.2021**, failing which these petitions shall stand dismissed automatically without further reference to this Court."

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The District Munsif-cum-Judicial Magistrate,
Ilayankudi.
2. The District Collector,
Office of District Collector,
Sivagangai Town, Sivagangai District.
3. The Tahsildar,
Ilyankudi Taluk and Town,
Sivagangai District.

Copy to: The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.



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CMP(MD). No.4704 of 2020

ORDER DATED : 29/03/2021

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ORDER

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CMP (MD) . Nos.4704 & 4709 of 2020
in
CRP (MD) No.981 of 2018

Giving directions and etc.
as stated within.

DKS (CO)
TR(07.04.2021) 3P 5C