



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2021

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

C.M.P (MD)No.6997 of 2021

in

REV.APLC.(MD)No.SR37909 of 2021

WEB COPY

1.Arputham @ Lakshmi Ammal
2.Ramakrishnan @ Sekar
3.Petchiammal @ Shanthi
4.Uthiravasekar @ Latha
5.Perumal
6.Abitha Beevi
(2 to 5 Petitioners through their
Power of Attorney the 1st Petitioner
herein) ... Petitioners/Petitioners

vs.

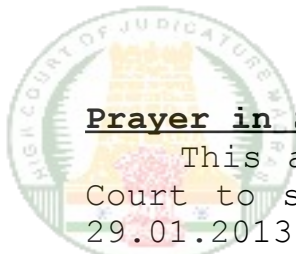
1.Melapalayam Mailakader Street
residential Welfare and Muslim Women
Arab Matharasa Committee,
No.107, Mailakader Street, Melapalayam,
Tirunelveli District.
2.The Government of Tamil Nadu,
represented through the District Collector,
Tirunelveli-9.
3.The Revenue Divisional Officer,
Tirunelveli-9.
4.Muthumalai
5.Petchiammal
6.Suresh
7.Arulsubha
8.K.S.Sahul Hameed
(Notice to 4 to 7 Respondents disposed with)
... Respondents/Respondents

PRAYER: Petition filed under Section 5 of the Limited Act, to condone the delay of 1099 days in filing the above review application.

Prayer in Rev.Aplc(MD).SR.No.37909 of 2021:

This Review Application filed under Section 114 and order 47 Rule 1 of C.P.C., praying this Court to set aside the order passed by this Court in SA(MD).No.332 of 2013 dated 20.02.2017 by allowing this application.

<https://hcservices.ecourts.gov.in/hcservices/>



Prayer in SA(MD).No.332 of 2013:

This appeal filed under Section 100 of C.P.C., praying to this Court to set aside the judgment and decree in A.S.No.94/2011 dated 29.01.2013 on the file of the Additional Sub Court, Tirunelveli reversing the judgment and decree passed in O.S.No.573/2005 on the file of the Principal District Munsif Court, Tirunelveli dated 29.07.2011 and allow the above Second Appeal.

For Petitioner : Mr.T.Selvan

O R D E R

This petition is filed to condone the delay of 1099 days in filing the above Review Application.

2.The first petitioner has stated that she is a senior citizen aged about 82 years and that during February 2017, she fell down and sustained injuries in her house. It was on account of her fall in 2017, it is her case that she was not able to contact her Counsel immediately after the receipt of the order and that therefore, she filed this petition to condone the delay.

3.A written explanation was offered by the petitioners for the long delay of nearly three years. The affidavit is filed by one Arputham @ Lakshmi Ammal wife of Subbukutti Konar. The petitioners 2 to 6 are her sons and daughters. The explanation offered by the first petitioner, as if she was the only person to conduct the case at her old age is unbelievable. Since the reasons stated in the affidavit filed in support of this petition are not sufficient to explain the long delay of 1099 days, this Court is not inclined to entertain this petition.

4.Accordingly, this petition is dismissed and REV.APLC.(MD) No.SR37909 of 2021 is closed at SR stage itself.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr/tmg

To

1.The District Collector,
The Government of Tamil Nadu,

Tirunelveli-9.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Revenue Divisional Officer,
Tirunelveli-9.

Copy to

1.The Additional Sub Judge, Tirunelveli.

2.The Principal District Munsif, Tirunelveli.

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in
REV.APLC. (MD) No. SR37909 of 2021
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RK (05.10.2021) 3P 5C