



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Third day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mrs.Justice N. MALA

CMA(MD). No.815 of 2021

1.Gandhimathi

2. Rajeswari

... Appellants / Respondents 1 & 2 /
Defendants 1 & 2.

Vs

1. Kanchana Balasubramanian

...1st Respondent / Petitioner/
Plaintiff.

2. Vijaya

3. Aruna @ Krishnaveni

...Respondents 2& 3/Respondents 3&4/
Defendants 3 & 4.

(Since Respondents 2 & 3/Defendants 3 and 4 Remained Ex Parte in
Trial Court they are given Up in this CMA)

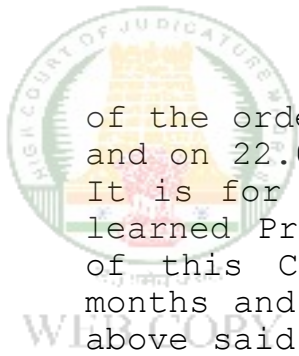
Prayer :- Civil Miscellaneous Appeal is filed under order 43 Rule 1 (r) CPC pleaded to call for the records relating to the fair and decretal order dated 26.04.2019 made in IA No.11 of 2017 in OS No.9 of 2017 on the file of learned Principal District Judge, Theni, set aside the same and allow this Civil Miscellaneous Appeal, and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

ORDER:- This Civil Miscellaneous Appeal Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon perusing Letter D.No.7254 dated 19.12.2022 from Principal District Judge, Theni, this Court made the following order:

"Registry has circulated a letter of the learned Principal District Judge, Theni, dated 19.12.2022, seeking to grant further extension of six months time to dispose of the suit in O.S.No.9 of 2017.

2.A detailed report of the hearing of the case, right from 1.10.2018, has been given in the Request Letter. It is seen that

<https://www.hc.madras.gov.in/>



of the order of this Court on 18.02.2022 by granting four months time and on 22.08.2022, this Court had granted further three months time. It is for the third time, extension of time is sought for by the learned Principal District Judge, Theni. As per the original order of this Court, the Honourable High Court had already granted 4 months and there after totally seven months time was granted by the above said orders, to dispose of the case in O.S.No.9 of 2017. The learned Principal District Judge, Theni has now sought for further extension of six months time. This Court is not inclined to grant six months time as prayed for.

3. Considering the above said request, the Principal District Judge, Theni is granted further four months time to dispose of the suit in O.S.No.9 of 2017. It is made clear that no further extension of time will be entertained by this Court.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/01/2023

Sub Assistant Registrar (CS)

TO

The Principal District Judge,
Theni.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 23/12/2022

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ORDER

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ED(05.01.2023) 2P 3C