



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

Thursday, the Twenty Third day of December Two Thousand and Twenty One

PRESENT

WEB COPY

The Hon`ble Mrs.Justice S.ANANTHI

CMP(MD) No.7834 of 2021
in
AS(MD) No.157 of 2008

TAMIL NADU MERCANTILE BANK LTD,
NO.51, EAST AVANI MOOLA STREET,
MADURAI
REP.BY ITS CHIEF MANAGER,
MADURAI MAIN BRANCH..

... PETITIONER/PETITIONER/APPELLANT

Vs

1 M/S.K.B.MARITIME ENTERPRISES,
A PARTNERSHIP FIRM REP. BY ITS PARTNER,
K.SIVANANDAN,
118, CHITHIRAKARA SREET
MADURAI-1.

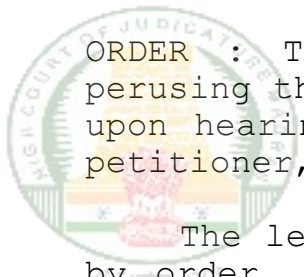
2 K.SIVANANDAN,
3 K.SHANMUGA LAKSHMI,
4 K.MAHESWARAN,
5 K.RAVINDRAN,
6 K.BALASUBRAMANIAN,
7 INDIRA DEVI,
8 UMA DEVI,
9 KRISHNAVENI

... RESPONDENTS/RESPONDENTS/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 820 days in preferring the petition to restore the CMP(MD).No.1681 of 2017 in AS(MD).No.157 of 2008 which was dismissed for default on 15-12-2017 and pass such other further other orders as this Hon`ble Court may deem fit and proper with regard to the fact and circumstances of the case and thus render justice.

Prayer in AS(MD) . 157/ 2008 :

Prefer this Memorandum of Appeal against the judgment and Decree passed in O.S.No.255 of 2004 on the file of the Additional District Judge cum Fast Track Court No.2, Madurai dated 07.09.2007.



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.PETHU RAJESH, Advocate for the petitioner, the court made the following order:-

The learned counsel appearing for the petitioner submitted that by order, dated 30.11.2021, this Court directed the petitioner to pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai - 625 023 on or before 22.12.2021. The said condition has been complied with and to prove the said fact, cost memo has also been filed. Hence, the Civil Miscellaneous Petition is allowed.

2. Accordingly, the order dated 15.12.2017 passed in C.M.P(MD) No.1681 of 2017 in A.S(MD)No.157 of 2008 is hereby set aside and the same is restored.

sd/-
23/12/2021

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

TO

THE ADDITIONAL DISTRICT JUDGE CUM FAST TRACK COURT NO.2,
MADURAI.

ORDER
IN
CMP(MD) No.7834 of 2021
in
AS(MD) No.157 of 2008
Date :23/12/2021

RS/JC/SAR.4 (31.12.2021) 2P-2C