



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD).No.1423 of 2021

1.N.Renjitham Bai
2.N.Kingsly
3.N.Stanly Shunmugam
4.N.Bensly Shunmugam

...Petitioners/Petitioner/Appellants

Vs.

1.Thangam Devaraj
2.Saroja

...Respondents/Respondents/Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order, dated 11.08.2021 passed in I.A.No.133 of 2019 in A.S.SR.No.4066 of 2019 on the file of Sub Court, Eraniel, allow the Civil Revision Petition.

For Petitioners : Mr.V.M.Balamohanthampi

O R D E R

This Civil Revision Petition has been filed to set aside the fair and decreetal order, dated 11.08.2021 passed in I.A.No.133 of 2019 in A.S.SR.No.4066 of 2019 on the file of Sub Court, Eraniel.

2.The said I.A.No.133 of 2019 was filed by the petitioners to condone the delay of 31 days in filing the appeal. The reasons stated by in the petition was the first petitioner was bed ridden due to chicken pox for last two months and therefore they were not able to file first appeal within time. The condone delay petition was dismissed on the ground that the petitioners have not filed any document for taking treatment.

3.As per the petition averment, the petitioners stated that they did not take treatment in any hospital. Therefore, the reasons stated in the petitioners are acceptable. Since the delay is only 31 days, the learned Subordinate Judge, Eraniel, is directed to condone the delay in I.A.No.133 of 2019 and numbered the appeal, if it is otherwise in order.



4. With the above direction, the Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

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/ /2021

Sub Assistant Registrar (CS)

vsd

To

The Subordinate Judge,
Eraniel.

+1 CC to M/s.V.M.BALAMOHAN THAMBI, Advocate (SR-30908[F] dated 01/10/2021)

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.

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KS (CO)

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