



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Twenty Second day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Ms.Justice P.T.ASHA

CMP(MD) . No.6354 of 2018

in

CRP(MD) . No.2129 of 2017

1. Manikandan,
2. Beaula

Petitioners/ Petitioners

Vs

Santha,

Respondent/Respondent

Prayer in CMP(MD) . No.6354 of 2018 :-

This petition filed under Section 151 of C.P.C., Pleaded to extend the time period granted to the petitioners in CRP(PD)(MD) No.2129 of 2017 dated 12.3.2018 for a further period as prescribed by this Honourable Court to file an Additional Affidavit in I.A.No.137 of 2017 and thus render justice.

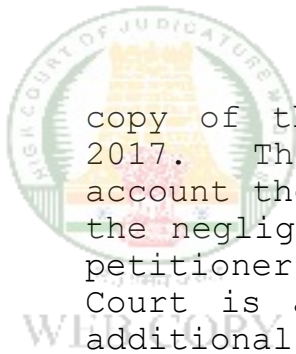
Prayer in CRP(MD) . No.2129 of 2017 :-

This petition filed under Article 227 of the Constitution of India against the fair and decreetal order passed by the learned PRINCIPAL DISTRICT MUNSIF, KUZHITHURAI, dated 20/04/2017 in I.A.No.137 of 2017 in O.S. No.43 of 2015.

ORDER:- This miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. N. Dilip Kumar, Advocate for the Petitioners and of Mr. C. Godwin, Government Advocate for the respondent, this Court made the following order:

This Petition is filed to extend the time period granted to the petitioners in C.R.P(MD) No.2129 of 2017, dated 12.03.2018, for a further period as prescribed by this Court to file an additional affidavit in I.A.No.137 of 2017.

2.This Court had deemed it fit to grant time to the petitioners to file an additional affidavit with proper description of 'B' scheduled property within two weeks from the date of receipt of a



copy of the order in C.R.P(MD) No.2129 of 2017 in I.A.No.137 of 2017. Though the period has long expired, however, taking into account the fact that the delay and non-filing is only on account of the negligence on the part of the learned counsel appearing for the petitioners before the Principal District Munsif, Kuzhithurai, this Court is allowing the petition by extending the time to file an additional affidavit as directed by order of this Court dated 12.03.2018 in C.R.P(MD) No.2129 of 2021 on or before 29.11.2021 along with cost of Rs.10,000/- to be paid by the learned counsel who is appearing on behalf of the petitioners in the trial Court to the credit of the Bar Association, Kuzhithurai, within the said period i.e., on or before 29.11.2021.

3.For reporting compliance, list the matter on 30.11.2021.

4.Since the order has been pronounced in the open Court, the learned counsel appearing for the petitioner shall not await the receipt of the copy of the order for complying with the condition imposed in this order.

5.On the filing of the additional affidavit, the respondent herein shall be permitted to file their objections, if any to the said affidavit within a period of one week thereafter and the learned Principal District Munsif, Kuzhithurai, shall endeavour to dispose of the suit within in a period of three months thereafter.

Sd/-

Assistant Registrar(CO)

// 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

THE PRINCIPAL DISTRICT MUNSIF, KUZHITHURAI



Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
(To list as directed)

+1 CC to Mr.C.GODWIN, Advocate SR.No.8379

ORDER DATED : 22/11/2021

HEARING DATE : 30/11/2021

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ORDER
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CMP(MD) . No.6354 of 2018
in
CRP(MD) . No.2129 of 2017

Giving direction and etc.
as stated within.

PK(CO)
TR(29.11.2021) 3P 4C