



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

Thursday, the Seventeenth day of March Two Thousand and Twenty Two
PRESENT

The Hon`ble Ms.Justice R.N.MANJULA

C.M.P(MD)Nos.8274 & 8278 of 2021

in

A.S(MD)SR Nos.19312 & 19307 of 2021

THE REVENUE DIVISIONAL OFFICER,
ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.

... PETITIONER/APELLANT
IN BOTH THE PETITIONS

Vs

KOODAPPAN

... RESPONDENT/RESPONDENT
IN CMP(MD) NO.8274/2021

SUMITHRAI

... RESPONDENT/RESPONDENT
IN CMP(MD) NO.8278/2021

PRAYER IN CMP(MD) NO.8274 OF 2021 IN AS(MD) SR.NO.19312 OF 2021 :

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 1056 days in filing the Appeal Suit.

PRAYER IN AS(MD) SR.NO.19312 OF 2021 :

Pleased to set aside the Judgment and decree dated 04.11.2016 made in LAOP No.32 of 2011 on the file of Sub Court, Aruppukottai.

PRAYER IN CMP(MD) NO.8278 OF 2021 IN AS(MD) SR.NO.19307 OF 2021 :

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 1105 days in filing the Appeal Suit.

PRAYER IN AS(MD) SR.NO.19307 OF 2021 :

Pleased to set aside the Judgment and decree dated 04.11.2016 made in LAOP No.17 of 2011 on the file of Sub Court, Aruppukottai.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.C.SATHEESH, Government Advocate Advocate for the petitioner in both the petitions and of MR.A.SIVAJI, Advocate on behalf of the Respondent in CMP(MD) No.8274/2021 and MR.D.SAKKARAVARTHY, Advocate for the Respondent in CMP(MD) No.8278/2021, the court made the following order:-

These applications have been filed to condone the delay of 1056 & 1105 days in filing the above Appeal Suits respectively.



2.The learned Special Government Pleader submitted that the judgment and decree in respect of L.A.O.P. Nos.32 of 2011 & 17 of 2011 were passed on 04.11.2016 and the concerned Additional Government Pleader has applied for certified copy of the orders on 05.11.2016 and the stamps have been called for on 30.08.2017 & 19.12.2017 respectively. Charges paid on 05.01.2018 & 06.01.2018. He further submitted that during the intervening period, Covid -19 pandemic situation also caused delay in filing the appeal in time. Hence, he requests that the delay may be condoned.

3.Mr.D.Sakkaravarthy, learned counsel takes notice for the respondent.

4.Though the reasons stated is not fully satisfactory, considering the fact that notice has been taken by the learned counsel for the respondent and in the interest of justice and to give quietus to the matter once for all, these petitions should be allowed with heavy cost.

5.Accordingly, these petitions are allowed and on the condition that the petitioner shall deposit a cost of Rs.5,000/- (Rupees Five Thousand Only) to the credit of District Siddha Medical Officer CCRIPKM (Account No:-10767823177, IFSC Code:- SBIN0000898, State Bank of India, Periyakulam Branch) and also pay of Rs.2000/- to the respective respondents, within a period of two weeks from today.

6.For compliance, list the matter after two weeks. i.e 04.04.2022.

sd/-
17/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE SUBORDINATE JUDGE, ARUPPUKOTTAI.

COPY TO :
THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRIPKM, PERIYAKULAM.

+1 CC to M/s.SPL GP (SR-2190[I] dated 18/03/2022)

ORDER IN
C.M.P(MD)Nos.8274 & 8278 of 2021 in
A.S(MD)SR Nos.19312 & 19307 of 2021
Date :17/03/2022