



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

Wednesday, the Thirteenth day of July Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

C.M.P(MD)No.5346 of 2022
in
A.S(MD)No.178 of 2011

S.BOOPATHY ... PETITIONER/2nd RESPONDENT
Vs

1 K.BALAN

2 S.UMAPATHI ...RESPONDENTS 1& 2/APPELLANTS 1 & 2

3 V.KARUPPASAMY ...3rd RESPONDENT/1st RESPONDENT

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 1337 days in filing the application to set aside the order dated 09/04/2013 in AS(MD).No.178 of 2011 on the file of this Honourable Court.

PRAYER IN A.S(MD)No. 178 of 2011:

Pleased to set aside the judgment and decree dated 10.02.2010 made in O.S.No. 120 of 2008 on the file of the Additional District Judge, Fast Track Court, Dindigul by allowing this appeal and further decree the suit as prayed for.

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.V.JANAKIRAMULU, Advocate for the petitioner, the court made the following order:-

Already notice was served on the respondents. Despite the name of the learned counsel for the respondents is printed, none appeared on behalf of them. This petition is filed to condone the delay of 1337 days in filing the application to set aside the order dated 09.04.2013.

2.After a careful perusal of the affidavit filed in support of this petition, this Court is not satisfied with the reasons stated in the affidavit. However, in order to give one more opportunity to the parties, this petition is allowed on condition that the



C.M.P(MD)



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petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) before the Registry, to the credit of C.M.P(MD) No.5346 of 2022 within a period of 10 days.

3.List the matter on 28.07.2022, 'for reporting compliance'.

WEB COPY

sd/-
13/07/2022

/ TRUE COPY /

/07/2022

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

TO

THE ADDITIONAL DISTRICT JUDGE,
FAST TRACK COURT, DINDIGUL.

COPY TO

- 1 THE SUB ASSISTANT REGISTRAR(AE)
AE SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE SECTION OFFICER
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 3 THE SECTION OFFICER,
ACCOUNTS SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
C.M.P (MD) No.5346 of 2022
in
A.S (MD) No.178 of 2011
Date :13/07/2022

PNN

PKP/JM/SAR-2/15.07.2022/2P/5C