



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

Tuesday, the Second day of August Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

C.M.P. (MD) No.6735 of 2022

in

A.S. (MD) SR.No.37984 of 2022

SIYATHUBAVA

... PETITIONER/APPELLANT

Vs

1 M.SALHABEEVI

2 S.NABEEZHABEEVI

3 S.SHEIKABDULLA

4 S.RAHAMATHNISHA

5 S.INUPASARIYA

6 M.AAYEESHAMARIYAM

7 S.NAINA MOHAMED

... 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 to delay 33 days in filing in A.S.(SR).No.37984 of 2022 and thus render justice.

PRAYER IN A.S. (MD) SR.No.37984 of 2022:

To set aside the Judgment and decree dated 31.03.2021 passed in O.S.No.57 of 2013 by prtly dismissing the suit on the file of THE COURT OF PRINCIPAL DISTRICT JUDGE, SIVAGANGAI.

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.T.THIRUMURUGAN, Advocate for the petitioner, and of on behalf of the Respondents the court made the following order:-

This petition is filed to condone the delay of 33 days in filing the appeal against the judgment and decree dated 31.03.2021 in O.S.No.57 of 2013 by the learned Principal District Judge, Sivagangai.



2.Though the actual delay is not 33 days, in view of the directions given by the Hon'ble Supreme Court of India, the delay is only 33 days.

3.Though the reasons stated in the accompanying affidavit are not satisfied, in order to give an opportunity to the petitioner / appellant to challenge the judgment and decree passed by the trial Court, this Civil Miscellaneous Petition is allowed on condition that the petitioner / appellant shall deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) to the credit of C.M.P.(MD)No.6735 of 2022, within a period of one week before the Registry.

4.List the matter on 12.08.2022 for reporting compliance.

sd/-

02/08/2022

/ TRUE COPY /

04/08/2022

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

myr
TO

THE PRINCIPAL DISTRICT JUDGE, SIVAGANGAI.

COPY TO

1.THE SUB ASSISTANT REGISTRAR(AE),
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.

+1. C.C. to M/S.T.THIRUMURUGAN Advocate SR.No.8023

ORDER IN

C.M.P. (MD)No.6735 of 2022
in

A.S. (MD) SR.No.37984 of 2022

Date :02/08/2022