



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

Monday, the Fourth day of July Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.11902 of 2018

IN

AS(MD) No.11 of 2007

1 MARIMUTHU

2 MAHALAKSHMI

... PETITIONERS/APPELLANTS

Vs

1 MUTHAMMAL (DIED)

2. ANDIAMMAL

3 PONNIAH

4 LAKSHMI

... RESPONDENTS 1 TO 4/RESPONDENTS 1 TO 4

5 VIJAYA

6 POONKODI

7 SRINIVASAN

8 SHANMUGAM

... RESPONDENTS 5 TO 8

/PROPOSED RESPONDENTS 5 TO 8

/LR OF DECEASED 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 3886 days in filing the petition to bring on record the deceased 1st respondent in A.S.No.11 of 2007.

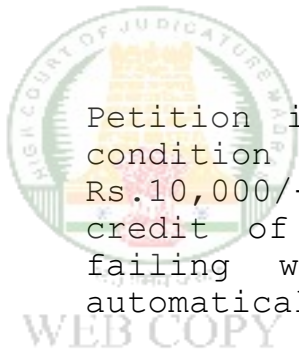
Prayer in AS(MD)No.11 of 2007 :

To allow the appeal and set aside the judgment and decree dated 13.09.2005 made in O.S.No.22/2004 on the file of the Fast Track Court (Additional District and Sessions Judge), Dindigul.

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.PT.S.NARENDRAVASAN, Advocate for the petitioners, the court made the following order:-

Though private notice served on the respondents 5 to 8 was returned as 'No Residence', Court notice was served on the respondents 5 to 8 through Amina. Since their names are printed in the cause list, they have either appeared in person or through the learned counsel.

2.Though the reasons stated in the affidavit filed in support of this petition are not satisfied, in order to give one more opportunity to the petitioners to bring the legal representatives of the deceased first respondent on record, this Civil Miscellaneous



Petition is allowed and the delay of 3886 days is condoned on condition that the petitioners / appellants shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) before the Registry to the credit of C.M.P.(MD)No.11902 of 2018, on or before 15.07.2022, failing which the appeal shall stand dismissed for default automatically without further reference to this Court.

3.The Registry is directed to utilise the said amount for furnishing cook vessels, like Can, tumbler, cleaning articles etc., and also for other provisions to the Siddha Clinic situated in the campus of this Court.

4.List the matter on 18.07.2022 for reporting compliance.

sd/-

04/07/2022

/ TRUE COPY /

/07/2022

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

TO

THE ADDITIONAL DISTRICT AND SESSIONS JUDGE/
FAST TRACK COURT,
DINDIGUL.

COPY TO

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

ORDER IN

CMP(MD) No.11902 of 2018
IN
AS(MD) No.11 of 2007
Date :04/07/2022

RS/PN/SAR.1 (05.07.2022) 2P-5C