



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

Thursday, the Twenty Fourth day of November Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD) No.8067 of 2022
in
SA(MD)SR.No.9063 of 2020

JOTHIMANI

... PETITIONER/APPELLANT

Vs

PERIYAN (DIED)

1. NALLAMMAL
2. RAMESH
3. SUDHAKAR
4. PRABHU

... 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 the delay of 421 days in filing the above in second appeal.

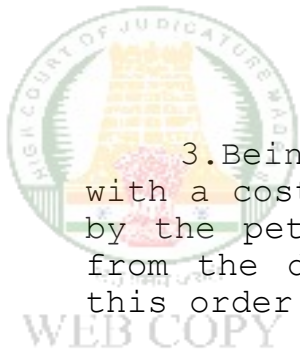
PRAYER IN SA(MD)SR.No.9063 of 2020 :

Pleased to allow this Second Appeal and set aside the Judgment and Decree passed by the Additional Subordinate Judge, Dindigul in A.S.No.252 of 2005 dated 18.04.2012 in modifying the Judgment and Decree of Additional District Munsif, Dindigul in O.S.No.1618 of 2004 dated 28.02.2005 in decreeing the suit.

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.S.SARVAGAN PRABHU, Advocate for the petitioner and of M/S.N.JULIET LATHA, Advocate on behalf of the Respondents, the court made the following order:-

This petition is filed for condoning the delay of 421 days in filing the second appeal.

2.The learned Counsel for the petitioner submits that though the judgment and decree was passed on 18.04.2012, the printed copy was made ready on 31.10.2018, which was received belatedly and therefore, there is a delay of 421 days in filing the second appeal.



CMP(MD)



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3. Being satisfied with the reasons, this petition is allowed with a cost of Rs.5,000/- [Rupees Five Thousand], which shall be paid by the petitioner to the respondents within a period of two weeks from the date of receipt of a copy of this order, failing which, this order would stand cancelled automatically.

sd/-
24/11/2022

/ TRUE COPY /

/12/2022

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

DSK

TO

1. THE ADDITIONAL SUBORDINATE JUDGE,
DINDIGUL.
2. THE ADDITIONAL DISTRICT MUNSIF,
DINDIGUL.

ORDER
IN
CMP(MD) No.8067 of 2022 in
SA(MD) SR.No.9063 of 2020
Date :24/11/2022

USK/SSS/SAR-I/23.12.2022/2P/3C