



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

Wednesday, the Fourteenth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.370 of 2023
IN
SA(MD) No.635 of 2006

RAJAVADIVU

... PETITIONER/APELLANT

Vs

1 KUMARESAN
2 IRULAPPAN

... 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 281 days in filing the said Restoration Petition in the above Second Appeal.

PRAYER IN SA(MD).635/2006 :

To set aside the decree and judgment dated 31.01.2006 made in A.S.No.115/2001 on the file of the Additional District and Sessions Court / Fast Track Court No.2, Madurai dismissing the appeal confirming the decree and judgment made in O.S.No.100 of 1999 dated 26.04.2001 on the file of the District Munsif Court, Thirumangalam, by allowing the Second Appeal.

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.G.RAMANATHAN, Advocate for the petitioner, the court made the following order:-

This application is filed to condone the delay of 281 days in filing the restoration petition in the above second appeal.

2.Though the reasons stated in the accompanying affidavit filed in support of the Petition are not satisfied, however, in order to give an opportunity to the parties, the delay of 281 days is condoned on condition that the Petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) towards costs before the Registry to the credit of C.M.P(MD)No.370 of 2023 on or before 27.06.2023 and on deposit of the same, the petition shall stand allowed, failing which, the Petition shall stand automatically dismissed without further reference to this Court.



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CMP(MD)



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3. List the matter on 28.06.2023 for filing compliance r

sd/-

14/06/2023

/ TRUE COPY /

/06/2023

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

am

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE /
FAST TRACK COURT NO.2, MADURAI.
- 2 THE DISTRICT MUNSIF, THIRUMANGALAM.

Copy to

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

ORDER
IN
CMP (MD) No.370 of 2023
IN
SA (MD) No.635 of 2006
Date :14/06/2023

RS/CG/SAR-(19.06.2023) 2P 7C