



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

Monday, the Twenty Fourth day of April Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice C.SARAVANAN

CMP(MD) No.1272 of 2023
in
CRP(MD) SR.NO.6505 of 2023

ALLOYCIUS MARIA NAVAMANI

... PETITIONER/PETITIONER

Vs

1 SUNIL KUMAR

2 ANTHONY PRIESTUS PRATHEEB RAJA,

... RESPONDENT/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 242 days in filing the above civil revision petition against the order made in I.A.No. 1 of 2020 in O.S.No. 9 of 2013 dated 04-12-2021 on the file of the II Additional Sub Court, Nagercoil pending disposal of the civil revision petition.

PRAYER IN CRP(MD) SR.NO.6505 of 2023:

To set aside the fair and decreetal order dated 04.12.2021 passed in I.A.No.1 of 2020 in O.S.NO. 9 of 2013 on the file of the Learned Iind Additional Sub Court, Nagercoil by allowing this revision petition.

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.C. EZHILARASU, Advocate for the petitioner and of MR.S.RAJASEKAR, Advocate on behalf of the 1st Respondent and of MR.MURUGANANTHAN, Advocate for the 2nd Respondent, the court made the following order:-

The above Civil Miscellaneous Petition has been filed to condone the delay of 242 days against the order passed in I.A.No.1 of 2020 in O.S.No.9 of 2013, dated 04.12.2021 on the file of the II Additional Sub Court, Nagercoil.

2. It appears that the petitioner was ill and was in-deposed due to paralytic attack. The delay of 242 days has been attempted to explain by the petitioner by stating that the petitioner was in
<https://www.mca.gov.in>



treatment from 02.01.2017 after the order passed by the Trial Court, the petitioner could not file the civil revision petition in time.

3. Heard the learned counsel appearing for the petitioner.

4. I have gone through the affidavit filed in support of this petition. I am satisfied with the reasons stated therein. Therefore, this petition is allowed on terms: The petitioner shall pay a sum of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) to the credit of Chief Justice Relief Fund, Madras High Court, Madras within a period of four weeks. A memo to that effect shall be filed.

5. On such filing of cost memo, Registry is directed to number the Civil Revision Petition and post the case for admission.

sd/-

24/04/2023

/ TRUE COPY /

/05/2023

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

SN
TO

THE II ADDITIONAL SUBORDINATE JUDGE,
NAGERCOIL.

COPY TO

1 THE SECTION OFFICER, (CHIEF JUSTICE RELIEF FUND)
ACCOUNTS SECTION,
MADRAS HIGH COURT,
MADRAS.

2 THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

3 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP(MD) No.1272 of 2023

in

CRP(MD) SR.NO.6505 of 2023

Date :24/04/2023