



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

Friday, the Sixth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice S.SOUNTHAR

CMP(MD) No.2187 of 2022  
IN  
SA(MD) No.980 of 2011

1.PITCHAI IYAR

2.RAJAGOPALA IYER

... PETITIONERS/PETITIONERS/  
APPELLANTS

Vs

1 ARULMIGHU SAKTHIVANESWARASWAMI KOVIL,  
THIRUSAKTHI MUTRAM, KUMBAKONAM TALUK,  
THANJAVUR DIST REP BY ITS EXECUTIVE OFFICER.

2 SOLANMAALIGAI PANCHAYAT,  
REP BY ITS PRESIDENT, SOLANMAALIGAI,  
KUMBAKONAM TALUK, THANJAVUR DISTRICT.

3 THE COMMISSIONER,  
KUMBAKONAM PANCHAYAT UNION, KUMBAKONAM TALUK,  
THANJAVUR DISTRICT.

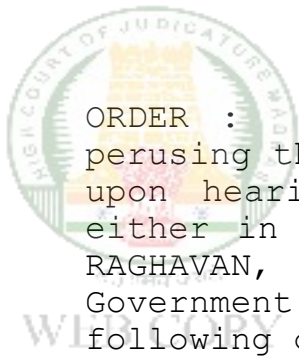
4 THE STATE REP BY DISTRICT COLLECTOR,,  
THANJAVUR DISTRICT.

... RESPONDENTS/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 728 days in filing application to set aside the order dated 16-02-2018 made in C.M.P.(MD)No.5029 of 2016 in S.A.(MD).No.980 of 2011 which was dismissed for default on the file of this Hon`ble Court.

Prayer in SA(MD). 980/ 2011 :

The appellants above named beg to prefer the Memorandum of Grounds of Second Appeal against the judgment and decree dated 31/01/2011 made in AS.No.71/2010 on the file of the Principal Subordinate Judge, Kumbakonam by confirming the judgment and dercee dated 16/06/2010 made in OS.No.219/2005 on the file of the Ist Additional District Munsif, Kumbakonam.



ORDER : This petition coming up for orders on this case on perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of not appeared for the petitioner either in person or through by an advocate and of M/S.V.K.VIJAYA RAGHAVAN, on behalf of the Respondent No.1 and M/S.J.K.JAYASEELAN, Government Advocate for the Respondent No.3 & 4, the court made the following order:-

When the matter was taken up for hearing on 02.01.2023, there was no representation for the petitioners. Hence, in order to give an opportunity to the petitioners, it was adjourned to 03.01.2023. On the said date, the learned counsel for the petitioners appeared before the Court and sought adjournment on the ground that he want to engage a senior counsel. At his request, this matter is listed today. Even today, there is no representation for the petitioners. Hence, this Civil Miscellaneous Petition is dismissed for default.

sd/-  
06/01/2023

/ TRUE COPY /

/01/2023

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

gbg

TO

1 THE COMMISSIONER,  
KUMBAKONAM PANCHAYAT UNION, KUMBAKONAM TALUK,  
THANJAVUR DISTRICT.

2 THE DISTRICT COLLECTOR,,  
THANJAVUR DISTRICT.

+1 CC to the Special Government Pleader SR 92(F)

ORDER  
IN  
CMP(MD) No.2187 of 2022  
IN  
SA(MD) No.980 of 2011  
Date :06/01/2023

RK/SSS/SAR-1 (11/01/2023) 2P/4C