



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

Tuesday, the Twenty Eighth day of February Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

CMP(MD) No.2409 of 2023
IN
SA(MD) SR.No.66468 of 2021

MALATHI

... PETITIONER/APPELLANT

Vs

1 KUZHANTHAIVEL

2 PIRATI

3 VELMURUGAN

4 VELLINAYAGI

5 BALAMURUGAN

6 ANANTHA MURUGAN

7 PALANIMURUGAN

... 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 341 days in representing the above second appeal in S.A.(MD).SR.No.66468 of 2021 and thus render justice.

PRAYER IN SA(MD) SR.No.66468/2021:

Pleased to set aside the Judgment and decree passed in A.S.No.42 of 2018 on the file of the Principal District Court, Thoothukudi dated 19.07.2019 confirming the Judgment and Decree passed in O.S.No.144 of 2008 on the file of the Sub Court, Thoothukudi dated 19.09.2018.

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 MR.R.V.RAJKUMAR, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 341 days in re-presenting the Second Appeal.



2. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the delay is condoned. However, in view of the enormous delay, this Court deems it fit to impose a cost of Rs.500/- (Rupees Five Hundred only) payable to the Honourable Chief Justice Relief Fund. The Civil Miscellaneous Petition is ordered on the said terms.

3. Registry is directed to number the Second Appeal and the post the matter for admission on 03.03.2023, if it is otherwise in order.
sd/-

28/02/2023

/ TRUE COPY /

02/03/2023

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

LM

TO

1 THE PRINCIPAL DISTRICT JUDGE,
THOOTHUKUDI.

2 THE SUBORDINATE JUDGE,
THOOTHUKUDI.

COPY TO:

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

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

ORDER IN

CMP(MD) No.2409 of 2023
IN

SA(MD) SR.No.66468 of 2021
Date :28/02/2023

SA/SSS/SAR.2/02.03.2023/2P/5C