



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

Tuesday, the Sixth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

C.M.P. (MD).No.5117 of 2023
in
S.A. (MD).SR.No.45398 of 2017

SUBRAMANIAN IYER

... PETITIONER/APPELLANT

Vs

TIRUCHENDUR SPECIAL GRADE TOWN PANCHAYAT,
THROUGH ITS EXECUTIVE OFFICER,
TIRUCHENDUR,
TUTICORIN DISTRICT.

... 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 1199 days caused in representation of the above appeal SA(MD) No. 45398 of 2017 and thus render justice.

PRAYER IN S.A. (MD).SR.No.45398 of 2017:-

To prefer this Memorandum of Second Appeal as against the Judgement and Decree in A.S.No.46 of 2017 dated 31.07.2017, on the file of Subordinate Court, Tiruchendur in confirming the Judgement and decree in O.S.No.108 of 2009 dated 26.10.2010, on the file of Principal District Munsif cum Judicial Magistrate, Tiruchendur.

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.RAMESH, Advocate for the petitioner and of no appearance for the respondent either in person or through by an advocate the court made the following order:-

This application has been filed to condone the delay of 1199 days in representing the Second Appeal.

2. The respondent has been duly served and the name of the respondent is also printed in the cause list today.



3. Being an inordinate delay, the petitioner must be put on terms for allowing this application. Accordingly, this Civil Miscellaneous Petition is allowed on condition that the petitioner/appellant pays a sum of Rs.1000/- (Rupees One Thousand only) to Anbagam, Race Course Road, K.Pudur, Madurai, within a period of one (1) week from the date of receipt of a copy of this order. On production of proof for having made the said payment before the stipulated time, Registry is directed to number the Second Appeal, if it is otherwise in order and list the same for admission.

sd/-
06/06/2023

/ TRUE COPY /

/06/2023

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

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TO

- 1 The Subordinate Judge, Tiruchendur.
- 2 Principal District Munsif cum Judicial Magistrate,
Tiruchendur.

Copy to

- 1 The Officer In-Charge,
Anbagam,
Race Course Road,
K.Pudur, Madurai.
- 2 The Sub Assistant Registrar(AE),
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.5117 of 2023
IN
SA(MD) SR No.45398 of 2017
Date :06/06/2023

NA/VR/SAR- /12.06.2023/2P/6C

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