



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

Friday, the Twenty Third day of June Two Thousand and Twenty Three

PRESENT

WEB COPY

The Hon`ble Mr.Justice ABDUL QUDDHOSE

C.M.P. (MD) .Nos.7141 and 7142 of 2023
in
S.A. (MD) .SR.Nos.9010 and 9009 of 2022

MANNAYEE AMMAL

... APPELLANT/RESPONDENT/
PLAINTIFF
IN CMP (MD) .7141/2023

... PETITIONER/APPELLANT
IN CMP (MD) .7142/2023

Vs

PAPPU (DIED)

1 KUMAR

2 SHANTHI

... RESPONDENTS/APPELLANTS/
DEFENDANTS
IN CMP (MD) .7141/2023

VAIRAN @ VAIRAPERUMAL

... RESPONDENT/RESPONDENT
IN CMP (MD) .7142/2023

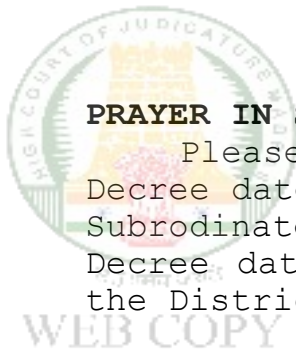
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone delay of 367 days in representing the S.A(MD) SR.No.9010 of 2022 and thus render justice.

PRAYER IN SA (MD) .SR.No.9010/2022:

Pleased to call for the records and set aside the Judgment and Decree dated 15.02.2021 made in A.S.No.11 of 2017 on the file of the Subordinate Judge, Kulithalai and partly Reversing the Judgment and Decree dated 17.02.2017 made in O.S.No.162 of 2010 on the file of the District Munsif Court, Kulithalai and allow the Second Appeal.

Prayer in CMP(MD) . 7142/ 2023 :

To condone delay of 367 days in representing the S.A.(MD) SR.No.9009 of 2022 and thus render justice.

**PRAYER IN SA (MD) SR.No.9009/2022:**

Pleaded to call for the records and set aside the Judgment and Decree dated 15.02.2021 made in A.S.No.10 of 2017 on the file of the Subordinate Judge, Kulithalai and partly Reversing the Judgment and Decree dated 17.02.2017 made in O.S.No.182 of 2010 on the file of the District Munsif Court, Kulithalai and allow the Second Appeal.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.T.VADIVELAN, Advocate for the petitioner in both Petitions, the court made the following order:-

These applications have been filed to condone the delay of 367 days in representing the Second Appeals.

2. The petitioner pleads that she was suffering from viral fever and only due to the said reason, she did not contact her counsel for representing the Second Appeals.

3. Since the delay is 367 days, the petitioner must be put on terms for allowing these applications. Accordingly, these Civil Miscellaneous Petitions are allowed on condition that the petitioner deposits a sum of Rs.1000/- (Rupees One Thousand only) towards each of these applications to Royal Vision, Thirunagar, Madurai (Phone No: 04522488649, Account name : Royalvision, Account No.0890104000340519, IFSC Code: IBKL0000890, IDBI Bank, Bypass road, Madurai), within a period of one (1) week from the date of receipt of a copy of this order. On production of the proof for having made the aforesaid payments within the stipulated time, Registry shall number the Second Appeals, if they are otherwise in order and list the same for admission.

sd/-

23/06/2023

/ TRUE COPY /

/07/2023

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

LM
TO

1 THE SUBORDINATE JUDGE,,
KULITHALAI.

2 THE DISTRICT MUNSIF,
KULITHALAI.



COPY TO:

- 1 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE OFFICER INCHARGE,
ROYAL VISION, THIRUNAGAR,
MADURAI (**PHONE NO: 04522488649**)

**ORDER
IN**

C.M.P. (MD) .Nos. 7141 and 7142 of 2023
in
S.A. (MD) .SR.Nos. 9010 and 9009 of 2022
Date : 23/06/2023

SA/SAR. /08.07.2023/3P/5C