



C.M.P.(MD)No.9143 of 2023

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

Friday, the Twenty Eighth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

C.M.P.(MD)No.9143 of 2023

in

S.A(MD)S.R.No.33852 of 2020

P. PANDIYAN (DIED)

1.THANIAMMAL

2 MUTHAMMAL

3 MUTHUKUMAR

4 DURAIMURUGAN

... PETITIONERS/APPELLANTS

Vs

1 RAJAMANI

2 R. TAMILANBAN

3 R. RAJESH

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous 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 464 days in representing the S.A. (MD). SR. No. 33852 of 2020 and thus render justice.



C.M.P.(MD)No.9143 of 2023

PRAYER IN S.A(MD)S.R.No.33852 of 2020:

To allow the Second Appeal and call for the records relating to the impugned Judgment and Decree passed by the learned Additional District cum Sessions Judge, Theni @ Periyakulam in A.S.No.24 of 2019 dated 18.02.2020 reversing the judgment and decree passed by the learned Subordinate Judge, Periyakulam dated 11.01.2019 in OS No.50 of 2014 and set aside the same and consequently allow the suit.

ORDER : This Civil Miscellaneous 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 N.DILIPKUMAR, Advocate for the petitioner, the court made the following order:-

This petition has been filed to condone the delay of 464 days in representing the second appeal in S.R.No.33852 of 2020.

2. I have perused the affidavit filed in support of the petition. Considering the reasons stated in the petition, this Court is inclined to allow this petition on payment of cost.

3. This petition is allowed on condition to pay the cost of Rs.500/- to the credit of District Siddha Medical Officer, CCRI, Periyakulam (A/c.No.10767823177, IFSC Code:SBIN0000898, State Bank of India, Periyakulam Branch) within a period of one week from the date of receipt of a copy of this order.



C.M.P.(MD)No.9143 of 2023

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4. On such payment being made, Registry is directed to number the appeal, if it is otherwise in order and list it for admission.

sd/-  
28/07/2023

/ TRUE COPY /

/08 /2023

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

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TO

1.THE ADDITIONAL DISTRICT CUM SESSIONS JUDGE,  
THENI @ PERIYAKULAM.

2 THE SUBORDINATE JUDGE,  
PERIYAKULAM

COPY TO

1.THE SUB ASSISTANT REGISTRAR,  
AE SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

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



C.M.P.(MD)No.9143 of 2023

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3.THE DISTRICT SIDDHA MEDICAL OFFICER,  
CCRI, PERIYAKULAM

ORDER IN  
C.M.P.(MD)No.9143 of 2023  
in  
S.A(MD)S.R.No.33852 of 2020  
Date :28/07/2023

RK/MMS (03/08/2023) 4P /6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023