



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

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

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.4640 of 2023

in

REV.APLC (MD) SR.No.20127 of 2023

M. PRABHAVATHI

... Petitioner / Petitioner

Vs

1 N. SELVARAJ

2 N.RAVI

3 N.SURESH

... 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 202 days in filing the above reievw application REV.APLC(MD).SR.No. 20127 of 2021.

Prayer in REV.APLC(MD) SR No.20127 of 2023:

To Review the Judgment dated 27.07.2022 passed in A.S(MD) No.9 of 2011 on the file of this Hon'ble Court Judgment confirming the Judgment and decree dated 31.08.2010 passed in O.S.No.77 of 2008 on the file of the Principal District Judge, Theni.

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.S.RAJASEKAR, Advocate for M/S.LAJAPATHI ROY AND ASSOCIATES, Advocate for the petitioner and of Mr.R.SURIYANARAYANAN, Advocate for the Respondents, the court made the following order:-

The petition is filed to condone the delay of 202 days in filing the review application.

2. Though the learned counsel appearing for the respondent has not filed any counter, he has orally made objection that it is not a fit case for review and there is no error apparent on the face of the record.

However, the Hon'ble Supreme Court time and again stated



that in a petition to condone delay, merits cannot be decided. Therefore, under these circumstances, though the reasons stated in the accompanying affidavit are not satisfactory, in order to give opportunity to the parties, the petition is allowed with cost of Rs.10,000/- (Rupees Ten Thousand only). The petitioner is directed to deposit Rs.10,000/- before the Registry to the credit of C.M.P. (MD) No.4640 of 2023 in Rev.APLC(MD) SR.No.20127 of 2023 on or before 21.06.2023.

4. List the matter on 23.06.2023 'for reporting compliance'.

sd/-
13/06/2023

/ TRUE COPY /

/06/2023

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

MBI

To

The Principal District Judge,
Theni.

Copy to:

1.The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

2.The Sub Assistant Registrar,
AE Section,
Madurai Bench of Madras High Court, Madurai.

3.The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

4.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CMP(MD) No.4640 of 2023
in
REV.APLC (MD) SR.No.20127 of 2023
Date :13/06/2023