



CMP(MD) No.5890 of 2023

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

Monday, the Twenty Fourth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD) No.5890 of 2023
in
SA(MD) SR No.86154 of 2019

GUNASEKARAN

... Appellant / Appellant

Vs

MURUGESAN

... 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 1165 days in re-presenting the above second appeal.

Prayer in SA(MD) SR No.86154 of 2019:

To call for the entire records pertaining to the judgment and decree dated 14.08.2019 made in A.S.No.17 of 2017 on the file of Sub-Court, Thuraiyur confirming the judgment and decree dated 27.02.2017 made in O.S.No.597 of 2004 on the file of the District Munsif Court, Thuraiyur and set aside the same and Consequently allow the Second Appeal.

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 N.SUDHAGAR NAGARAJ, Advocate for the Appellant, the court made the following order:-

This application has been filed to condone the delay of 1165 days in re-presenting the above Second Appeal.



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2. Heard the learned counsel for the petitioner. Notice served to the sole respondent and his name was also printed in the cause list.

3. I have perused the affidavit filed in support of this application and being satisfied with the reasons stated in the affidavit, I am inclined to allow this petition on terms. The civil miscellaneous petition is allowed on condition that the petitioner/appellant pays a sum of Rs.1,000/- (Rupees One Thousand only) to the credit of Officer-in-Charge, Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, Madurai, (A/c.No.496039124, IFSC: IDIB000H040, Indian Bank, High Court, Madurai Branch) within a period of two weeks from the date of receipt of a copy of this order, failing which, the petition shall stand automatically dismissed without further reference to this Court.

4. On such compliance, Registry is directed to number the Second Appeal, if it is otherwise in order and list the same for admission.

sd/-
24/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD



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To **மேலாட்சி**

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1.The Sub Judge,
Thuraiyur.

2.The District Munsif,
Thuraiyur.

Copy to:

1.The Officer Incharge,
Advocate Clerk's Welfare Association,
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,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CMP(MD) No.5890 of 2023
in

SA(MD) SR No.86154 of 2019

Date :24/07/2023

ED/DD/SAR- (31/07/2023) 3P / 6C

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17/07/2023