



CMP(MD) No.5192 of 2023

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

Monday, the Sixth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

**CMP(MD) No.5192 of 2023
IN
SA(MD)SR.No. 23436 of 2023**

**THE EXECUTIVE OFFICER
SHOLAVANDAN TOWN PANCHAYAT,
VADIPATTI TALUK,
MADURIA DISTRICT-625 214. ... APPELLANT/RESPONDENT/DEFENDANT**

Vs

K. MAYILVEL ... RESPONDENT/ APPELLANT/PLAITNIFF

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 107 days in filing the second appeal and thus render justice.

PRAYER IN SA(MD)SR.No. 23436 of 2023:

To set aside the judgment and decree passed in A.S.No. 6 of 2018 on the file of the 1st Additional Subordinate Judge, Madurai, Madurai District dated 20.12.2019 by reversing the judgment and decree passed in O.S.No. 160 of 2011 on the file of the District Munsif court, Vadipatti, Madurai District dated 12.12.2017 and thus allow the



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appeal with costs.

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. S. VELLAICHAMY, Advocate for the petitioner and of MR.V.RAMAKRISHNAN, Advocate on behalf of the Respondent, the court made the following order:-

This petition is filed to condone the delay of 107 days in preferring the above Second Appeal.

2. It is the submission of the learned counsel for the petitioner that due to administrative delay in getting approval from the higher officials and legal opinion for filing appeal, there is a delay of 107 days in filing the above Second Appeal.

3. The learned counsel for the respondent has no objection for allowing this petition with costs..

4. Considering the reasons stated by the petitioner and on being satisfied with the reasons for the delay of 107 days in filing the above Second Appeal, this Petition is allowed subject to the payment of cost of Rs.2,000/- to the respondent



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within a period of two weeks from the date of receipt of a copy of this order. On such payment, Registry is directed to number the appeal, if it is otherwise in order and list the matter for admission in the usual course.

sd/-
06/11/2023
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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CP

TO

1 THE I ADDITIONAL SUBORDINATE JUDGE, MADURAI.

2 THE DISTRICT MUNSIF VADIPATTI, MADURAI DISTRICT.

COPY TO

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



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

ORDER
IN
CMP(MD) No.5192 of 2023
IN
SA(MD)SR.No. 23436 of 2023
Date :06/11/2023

PKP/JGB/SAR- /07.11.2023/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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