



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

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

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CMP(MD) No.6939 of 2023

IN

SA(MD) SR.No.29431 of 2022

1 VELUSAMY (DIED) ,

1.ROOPAVATHI

2 GUNAPRIYA

3 VISHNUPRIYA

... PETITIONER/APELLANTS

Vs

1 VASANTHA

2 GURUPANDI

3 SELVI

4 SEETHALAKSHMI

5 SARASWATHI

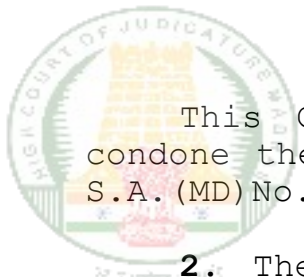
... RESPONDENTS/RESPONDENTS

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 281 representation in the S.A(MD) S.R.No.29431 of 2022.

PRAYER IN SA(MD)SR.NO.29431 of 2022:

To set aside against the Judgment and Decree dated 08.10.2021 passed in A.S.No. 6 of 2017 on the file of the Subordinate Court, Aruppukottai confirming the Judgment and Decree dated 19.08.2016 passed in O.S.No. 357 OF 2010 on the file of the Principal District Munsif Court, Aruppukottai and allow this 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. R.RAMADURAI, Advocate for the petitioner, the court made the following order:-



This Civil Miscellaneous Petition has been filed seeking to condone the delay of 281 days in representing the Second Appeal in S.A. (MD) No. SR29431 of 2022.

2. The petitioners state that the papers were misplaced and only due to the said reason, there is a delay.

3. This Court is satisfied with the reasons contained in the affidavit filed in support of this application seeking to condone the delay of 281 days in representing the Second Appeal. However, in view of the inordinate delay of 281 days in representing the second appeal, the petitioners / appellants must be put on terms. This Court deems it fit to impose a cost of Rs.1,000/- on the petitioners / appellants.

4. Accordingly, this Civil Miscellaneous Petition is allowed as prayed for subject to the condition that the petitioners / appellants deposit a cost of Rs.1,000/- (Rupees One Thousand only) to the credit of DIST SIDDHA MEDICAL OFFICER CCRI PKM, A/c No : 10767823177, IFSC Code: SBIN0000898, MICR Code : 625002601, Branch : SBI Periyakulam, within a period of one week from the date of receipt of a copy of this order. It is made clear that if the aforesaid amount is not paid within the stipulated time, this application shall stand automatically dismissed.

5. Registry is directed to number the Second Appeal, once the proof for payment of the cost is produced by the petitioners / appellants that they have paid the amount within the stipulated time as stated supra and if it is otherwise in order and list the same for Admission.

sd/-
20/06/2023

/ TRUE COPY /

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

SM

TO

1 THE SUBORDINATE JUDGE, ARUPPUKOTTAI.

2 THE PRINCIPAL DISTRICT MUNSIF, ARUPPUKOTTAI.



CMP(MD)



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COPY TO

1 THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PKM
PERIYAKULAM.

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.6939 of 2023
IN
SA (MD) SR.No.29431 of 2022
Date :20/06/2023

PKP/BUC/SAR- /26.06.2023/ **3P/6C**