



CMP(MD) No.5377 of 2023

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

Wednesday, the Twenty Sixth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Dr.Justice ANITA SUMANTH
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD) No.5377 of 2023
in
CMA(MD) SR No.7332 of 2022

J. KINGSTON SAMUEL ... Petitioner / Petitioner / Appellant

Vs

R. JACINTH CHRISTABEL ... Respondent / 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 358 days in filing the petition to set aside the order of dismissal of the above CMP(MD) No. 1707 of 2022 for non prosecution on 21.03.2022.

Prayer in CMP(MD). 1707/ 2022 :

To pass an order to condone the delay of 2273 days in filing the Civil Miscellaneous Appeal against the judgment and decree made in IDOP. No. 12 of 2014 on the file of the Family Court, Tirunelveli on 20.08.2015.

Prayer in CMA(MD) SR.No.7332 of 2022:

To pass an order to set aside the order in I.D.OP. No.12 of 2014 dated 20.08.2015 on the file of the Hon'ble Family Court, Tirunelveli.

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.M.BABY SUDHA, Advocate for the petitioner, the court made the following order:-

<https://www.mhc.tn.gov.in/judis>



CMP(MD) No.5377 of 2023

(Order of the Court was made by DR.ANITA SUMANTH, J.)

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For the reasons set out in the accompanying affidavit, the delay of 358 days in filing the petition seeking restoration of C.M.P.(MD)No.1707 of 2022, which was dismissed for non-prosecution is condoned.

2. List the Civil Miscellaneous Petition in C.M.P.(MD)No.1707 of 2022 on 01.08.2023.

sd/-
26/07/2023

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

SM

To

The Judge,
Family Court, Tirunelveli.

ORDER
IN
CMP(MD) No.5377 of 2023
in
CMA(MD) SR No.7332 of 2022
Date :26/07/2023

ED/BUC/SAR- (28/07/2023) 2P / 2C

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