



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

Monday, the Fifth day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CMP(MD) No.6259 of 2023

in

SA(MD) SR.No.78238 of 2019

1 MICHAEL NADAR ... Petitioner / Appellant

Vs

1 IRUDAYARAJ

2 AROCKIYA JEBASTIN

3 MICHAEL AMMAL

4 THANGAMANI

5 POONGKANI

RAJA NADAR (DIED)

6 PARALOGAM

7 JESU AROCKIAM

8 MUTHUKUMAR ... 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 534 days in representing the above second appeal in SA.SR.No. 78238 of 2019.

Prayer in SA(MD) SR.No.78238 of 2019:

To set aside the judgment and decree dated 11.02.2019 passed in A.S.No.40 of 2014 on the file of the Sub-Court, Thoothukudi confirming the judgment and decree dated 06.01.2014 passed in O.S.No.54 of 2010 on the file of the Learned Principal District Munsif Court, Thoothukudi.

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.P.SENTHIL, Advocate for the petitioner, the court made the following order:-



This Civil Miscellaneous Petition has been filed to condone the delay of 534 days in representing the Second Appeal.

2. In the affidavit filed in support of this application, the petitioner has stated that due to change of counsel, the delay of 534 days in representing the Second Appeal arose. The petitioner has also stated that he is an aged person and hence, the delay will have to be condoned.

3. The petitioner has to be put on terms as the delay is an inordinate one. Accordingly, this Civil Miscellaneous Petition is allowed on condition that the petitioner deposits a sum of Rs.1500/- (Rupees One Thousand and Five Hundred 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 (1) week from the date of receipt of a copy of this order. On production of proof for having made the payment as stated supra within the prescribed time, Registry is directed to number the Second Appeal, if it is otherwise in order and list the same for admission

sd/-
05/06/2023

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/06/2023

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

LM

To

1.The Sub Judge,
Thoothukudi.

2.The Principal District Munsif,
Thoothukudi.

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.



CMP(MD)



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

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ORDER

IN

CMP (MD) No.6259 of 2023

in

SA (MD) SR.No.78238 of 2019

Date :05/06/2023

ED/BUC/SAR- (07/06/2023) 3P 6C