



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.6924 of 2023
in
SA(MD)SR.No. 59642 of 2022

A.KANDAVEL NATTAR,

... PETITIONER/APPELLANT

Vs

1 P. RAJAMANIKAM,

2 P. THIRUGNANASAMPANDAM,

... 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 in 203 days in representing the Second Appeal in S.A.(MD). Sr. No. 59642 of 2022 on the file of this Honourable Court.

PRAYER IN SA(MD)SR.No. 59642 of 2022:

To set aside the Judgment and Decree dated 29.07.2022 passed in A.S.No. 1 of 2021 on the file of Principal Subordinate Judge of Thanjavur, by reversing the judgment and decree dated 21.11.2020 passed in O.S.No. 264 of 2009 on the file of Additional District Munsif Court, Thanjavur.

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

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 203 days in representing the Second Appeal in S.A.(MD)No.SR59642 of 2022.

2. The reason given for the delay in the affidavit filed in support of this petition is that the petitioner / appellant had to obtain certain documents.

3. This Court is satisfied with the reasons contained in the affidavit filed in support of this application seeking to condone



the delay of 203 days in representing the Second Appeal. in view of the inordinate delay of 203 days in representing the second appeal, the petitioner / appellant must be put on terms. This Court deems it fit to impose a cost of Rs.1,000/- on the petitioner / appellant.

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4. Accordingly, this Civil Miscellaneous Petition is allowed as prayed for subject to the condition that the petitioner / appellant deposits a cost of Rs.1,000/- (Rupees One Thousand only) to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving Account No.496039124, IFSC Code: IDIB000H040), 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/ appellant that he has 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 PRINCIPAL SUBORDINATE JUDGE, THANJAVUR.

2 THE ADDITIONAL DISTRICT MUNSIF, THANJAVUR

COPY TO

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

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



CMP(MD)



23

3. THE OFFICER INCHARGE,
ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.6924 of 2023
in
SA (MD) SR.No. 59642 of 2022
Date :20/06/2023

PKP/VR/SAR- /27.06.2023/ **3P/6C**