



C.M.P(MD)No.8318 of 2023

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

Tuesday, the Eighteenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

C.M.P(MD)No.8318 of 2023
in
S.A(MD).SR.No.64864 of 2021

P.BANUMATHI

... PETITIONER/ APPELLANT

Vs

G.UTHAMAN

... RESPONDENT/ RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condoned delay of 401 days the representing the papers in SA(MD) SR No.64864 of 2021 and pass such other suitable orders and thereby render justice.

PRAYER IN S.A(MD).SR.No.64864 of 2021:

To call for the records and set aside the judgment and decree dated 30.09.2020 in A.S.No.10/2015 on the file of the Principal District Court, Pudukottai confirming the judgment and decree dated 22.08.2014 in O.S.No.226/2007 on the file of the District Munsif Judge, Pudukottai and allow the second appeal with costs throughout and thus render justice.

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.H.LAKSHMI SHANKAR, Advocate for the petitioner, the court made the following order:-

This application has been filed to condone the delay of 401 days in representing the above Second Appeal.



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2. Perused the affidavit filed in support of this application and considering the reasons stated in the affidavit, I am inclined to allow this petition on terms. The civil miscellaneous appeal is allowed on a condition that the petitioner/appellant pays a sum of Rs.500/- (Rupees Five Hundred only) to the credit of to the Officer-in-Charge, Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, Madurai, (A/c.No.496039124, IFSC: IDIB000H040, Indian Bank, High Court, Madurai Branch) within a period of two weeks from the date of receipt of a copy of this order, failing which, the petition shall stand automatically dismissed without further reference to this Court.

3. On such compliance, Registry is directed to number the Second Appeal, if it is otherwise in order and list the same for admission.

sd/-
18/07/2023

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

sbn



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TO
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1. THE PRINCIPAL DISTRICT JUDGE, PUDUKOTTAI.
2. THE DISTRICT MUNSIF, PUDUKOTTAI

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

ORDER
IN
C.M.P(MD)No.8318 of 2023
in
S.A(MD).SR.No.64864 of 2021
Date :18/07/2023

RK/MMS (25/07/2023) 3P / 6C

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