



C.M.P(MD)No.8512 of 2023

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

Friday, the Twenty First day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

C.M.P(MD)No.8512 of 2023
in
S.A(MD).SR.No.24951 of 2022

P.RAMAKRISHNAN

... PETITIONER/ APPELLANT

Vs

VASANTHAL

... 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 396 days in re-presenting the S.A.SR (MD).No.24951 of 2022 and pass such further of other orders as this Hon`ble Court may deem fit in the circumstances of the case, and thus render justice.

PRAYER IN S.A(MD).SR.No.24951 of 2022:

To allow the Second Appeal and call for the records relating the Judgment and Decree passed by the Learned Subordinate Judge, Manamadurai in A.S.No.45 of 2019 dated 04.01.2022 confirming the Judgment and Decree passed by the Learned District Munsif cum Judicial Magistrate, Ilayangudi in O.S.No.12 of 2017 dated 11.09.2018 and set aside the same.

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/.R.RAJAMOHAN, Advocate for the petitioner, the court made the following order:-



C.M.P(MD)No.8512 of 2023

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This application has been filed to condone the delay of 396 days in representing the above Second Appeal.

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 one week 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/-
21/07/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO
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- 1.THE SUBORDINATE JUDGE, MANAMADURAI.
- 2.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ILAYANGUDI.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI.

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,

+1. C.C. to M/.R.RAJAMOHAN Advocate SR.No.11106

ORDER
IN
C.M.P(MD)No.8512 of 2023
in
S.A(MD).SR.No.24951 of 2022
Date :21/07/2023

RK/BUC (31/07/2023) 3P /8C

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