



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

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

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) No.12407 of 2022
IN
SA(MD) No.891 of 2014

1 KRISHNAMMAL (DIED)
2 RAVICHANDRAN

... 2ND PETITIONER/2ND APPELLANT

Vs

1 CHELLATHAYEE
2 MAHESWARI
3 MUTHAMMAL

4 TAHSILDAR,
ETTAIYARPURAM,
TAHSILDAR OFFICE,
KOVILPATTI.

... RESPONDENTS 1 TO 4/RESPONDENTS 1 TO 4

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 140 days in filing the petition to restore the Second Appeal in S.A.(MD).No.891/2014 before this Honourable Court which was dismissed for Non-Prosecution on 31/08/2021.

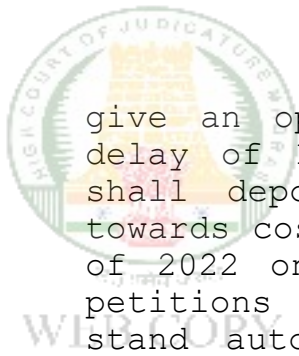
PRAYER IN SA(MD).891/2014 :

To allow the Second Appeal and set aside the judgment and Decree dated 20.02.2014 made in A.S.No.47 of 2012 on the file of Subordinate Court, Kovilpatti, confirming the Judgment and Decree dated 09.12.2011 made in O.S.No.264 of 2009 on the file of District Munsif Court, Kovilpatti.

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.PT.S.NARENDRAVASAN, Advocate for the petitioner, the court made the following order:-

This application is filed to condone the delay of 140 days in filing the petition to restore the second appeal, which was dismissed for non-prosecution on 31.08.2021.

2.Though the reasons stated in the accompanying affidavit filed in support of the Petition are not satisfied, however, in order to



give an opportunity to the parties to prosecute the app. The delay of 140 days is condoned on condition that the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) towards costs before the Registry to the credit of C.M.P(MD)No.12407 of 2022 on or before 27.06.2023 and on deposit of the same, the petitions shall stand allowed, failing which, the Petitions shall stand automatically dismissed without further reference to this Court.

3.List the matter on 28.06.2023 for filing compliance report.
sd/-

19/06/2023

/ TRUE COPY /

/06/2023

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

am

TO

1 THE SUBORDINATE JUDGE, KOVILPATTI.

2 THE DISTRICT MUNSIF, KOVILPATTI.

COPY TO

1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SUB ASSISTANT REGISTRAR, A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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

4 THE SECTION OFFICER, ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CMP(MD) No.12407 of 2022

IN

SA(MD) No.891 of 2014

Date :19/06/2023

RS/VR/SAR- (23.06.2023) 2P 7C