



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

Thursday, the Second day of February Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD)No.7945 of 2022
in
CRP(MD)SR.No.53232 of 2022

MARIAPPAN

... PETITIONER/PETITIONER/
DEFENDANT

Vs

1 M.MAHALAKSHMI (MINOR)

2 M.ARUN (MINOR)

... RESPONDENTS/RESPONDENTS/
PLAINTIFF

(1& 2 RESPONDENTS REPRESENT THROUGH
HER MOTHER M.JAYALAKSHMI)

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 88 days in filing of the main civil miscellaneous appeal against the order passed in I.A.No.3 of 2020 dated 10-08-2021 in the main O.S.No.80 of 2018, on the file of the Principal District and Sessions Court, Virudhunagar.

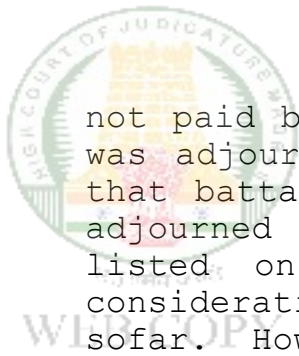
PRAYER IN CRP(MD)SR.No.53232 of 2022:

To call for the records pertaining to fair and decreetal order passed in IA No.2 of 2020 date 10.08.2021 in the Main OS.No.80 of 2018, on the file of the Principal District and Sessions Court, Virudhunagar and set aside the same, by allowing this Civil Miscellaneous Appeal.

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.LAW SHINE SIVAKUMAR RAJAPPAN, Advocate for M/S.LAW SHINE SIVAKUMAR RAJAPPAN, for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 88 days in filing the Civil Revision Petition.

2. This Court, on 02.09.2022, ordered notice to the respondents returnable in two weeks and also permitted the petitioner to take private notice to the respondents. When the matter came up for consideration on 05.01.2023, it was reported that the petitioner has



CMP(MD)



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not paid batta and in order to provide one opportunity, the matter was adjourned to 11.01.2023. Even on 11.01.2023, it was reported that batta has not been paid so far and therefore, the matter was adjourned to 30.01.2023 for filing batta. But, the matter was not listed on 30.01.2023. Today, when the matter came up for consideration, it is reported that the petitioner has not paid batta so far. However, he filed proof of service.

3. Since the petitioner has not paid batta so far, this Civil Miscellaneous Petition is dismissed.

sd/-
02/02/2023

/ TRUE COPY /

/02/2023

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

OGY

TO

THE PRINCIPAL DISTRICT AND SESSIONS COURT, VIRUDHUNAGAR.

ORDER
IN
CMP (MD) No. 7945 of 2022
in
CRP (MD) SR.No. 53232 of 2022
Date : 02/02/2023

RK/SSS/SAR-3 (14/02/2023) 2P/2C