



CMP(MD) No.10625 of 2023

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

Monday, the Sixth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

C.M.P.(MD)No.10625 of 2023

in

Rev. Aplc(MD)SR.No.57812 of 2023

S. KRISHNAN (DIED)

1. CHANDRAN

2 VASANTHA DEVI,

3 KANAGARAJ,

...APPELLANTS/ PETITIONERS

Vs

ISSAC (DIED),

THANGAMANI ALI AS THAVAMANI (DIED),

KRISHNAN (DIED),

1. CHINNAKUTTI

VALLIAMMAL(DIED)

2 MOOKAMMAL

CHINNAGURUSAMY (DIED),



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CHELLATHAI (DIED)
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3 GNANAMMAL,

4 PAPPA,

ROOTHU (DIED)

5 PAULSAMY

KARUPPASAMY (DIED)

6 JANAKIAMMAL

BAKKIYAM (DIED)

7 KANNIAMMAL

8 DARMARAANI

9 CHANDRAKALA,

10 MAHESWARI,

11 BALASUNDARI,

12 ESWARI,

13 ARUMUGAM,

14 KRISHNAN,

15 SELVI,

16 REBACKAAL,

17 MAARI,

<https://www.mhc.tn.gov.in/judis>



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18 KUMAR,

19 VASANTHA,

20 PUSHPA,

21 THAIAMMAL,

22 BUELA PREMASUNDARI,

23 PRABHUOSS,

24 ISSAC KIRUBAKARAN,

25 VIJAYARANI,

26 PAULRAJ PANDIAN,

27 ELIZABETH RANI,

... RESPONDENTS/PETITIONERS

Civil Miscellaneous 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 139 days in preferring the Review Application and take it as and thus render justice.

PRAYER IN in Rev. Appl(MD)SR.No.57812 of 2023

To review the Judgment and decree dated 27.10.2022, passed in SA(MD) No.403/2022, on the file of this Hon'ble Court and to allow this Review Application same and render Justice

Prayer in SA(MD). 403/ 2022 :

Second Appeal filed under Section 100 of Civil Procedure Code, to allow the appeal by setting aside the Judgment and Decree passed in A.S. No. 64 of 2008 on the file of the Additional Sub Court, Tenkasi, dated 08.04.2022 confirming the judgment and decree passed in O.S. No. 146 of 1993 on the file of the District Munsif Court, Shenkottai dated 25.07.2008 and thus render justice.



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ORDER : This Civil Miscellaneous 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.F.X.EUGENE, Advocate for the petitioner and of MR.T.S.R.VENKATRAMANA, Senior Counsel on behalf of the Respondents the court made the following order:-

This petition is filed to condone the delay of 139 days in preferring this review application.

2. The learned counsel appearing for the petitioners submits that the papers got mixed up with other bundles and therefore, there was a delay in filing the review application.

3. The learned Senior Counsel appearing for the respondents strongly opposed to condone the delay that the reasons stated by the petitioner's counsel are not proper.

4. Considering that it is a mistake happened in the office of the petitioner's counsel, this Court is inclined to allow this petition with costs of Rs.5,000/-.



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5. Accordingly, this petition is allowed with costs of Rs.5,000/- (Rupees five thousand only) to the credit of Current Account No. 7567821433, (IFSC Code: IDIBI000H040), in the Indian Bank, High Court Branch, Madurai Bench of Madras High Court, Madurai, towards Kalaingar Centenary Library, payable by the petitioners within a period of two weeks.

sd/-
06/11/2023

/ TRUE COPY /

10/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. THE ADDITIONAL SUBORDINATE JUDGE, TENKASI,
2. THE DISTRICT MUNSIF, SHENKOTTAI

COPY TO

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



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2.THE OFFICER IN CHARGE,
KALAINAR CENTENARY LIBRARY,
MADURAI.

+1 CC to M/s.F.X.EUGENE, Advocate (SR-16016[I] dated 07/11/2023)

ORDER
IN

C.M.P.(MD)No.10625 of 2023

in

Rev.Applc(MD)SR.No.57812 of 2023

Date :06/11/2023

RK/JGB (09/11/2023) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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