



CMP(MD) No.10490 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Third day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD) No.10490 of 2023

in

SA(MD) SR No.39602 of 2021

RM.MALAIKOLUNTHU

... Petitioner / Petitioner

Vs

1 M.PADMINI

V.JEEVANANTHAM(DIED)

2 S.KALIMUTHU

3 VASANTHI

4 J.VIGNESH

5 VINOTH KUMAR

... Respondents / Respondents

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 510 days in representing the SA(MD) SR No. 39602 of 2021 on the file of this Honourable High Court.



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Prayer in SA(MD) SR No.39602 of 2021:

WEB COPY To call for the records from the Courts below and set aside the Decree and Judgment in Appeal Suit No.29 of 2017 passed by the Learned Subordinate Judge, Devakottai dated 11.03.2019 confirming the Decree and Judgment in O.S.No.133 of 2012 passed by the Learned Additional District Munsif, Karaikudi dated 07.07.2017 by allowing this second appeal.

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.M.MARIA VINOLA, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 510 days in representing the second appeal.

2. Heard the learned counsel appearing for the petitioner.

3. I have perused the affidavit filed in support of this petition. Considering the reasons stated in the affidavit and considering the duration of delay, this Court is inclined to allow this petition on payment of costs. Accordingly, this petition is allowed on condition to pay the cost of Rs.750/- (Rupees Seven Hundred and Fifty only) to the credit of the Account Number: 7567821433, Indian Bank, High Court Branch Madurai (2001), IFSC Code:IDIB000H040, opened by the Registrar Judicial, Madurai Bench of Madras High Court, Madurai, for donating law books in the name of 'Madurai Bench of Madras High Court' to Kalaignar Centenary Library, Madurai, within a period of one week from the date of receipt of a copy of this order, failing which this petition shall stand dismissed.



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4. On such payment being made, Registry is directed to number the appeal, if it is otherwise in order and list it 'for admission' in the usual course.

sd/-
23/08/2023

/ TRUE COPY /

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

MBI

To

1.The Subordinate Judge,
Devakottai.

2.The Additional District Munsif,
Karaikudi.

Copy to:

1.The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

2.The Sub Assistant Registrar,
AE Section,
Madurai Bench of Madras High Court, Madurai.

3.The Officer Incharge,
Kalaigiar Centenary Library, Madurai.

4.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

CMP(MD) No.10490 of 2023

in

SA(MD) SR No.39602 of 2021

Date :23/08/2023

ED/VR/SAR- (30/08/2023) 4P / 7 C

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