



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

Thursday, the Ninth day of March Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice C.SARAVANAN

C.M.P(MD)No.10222 of 2022

in

C.R.P(MD)SR.No.65594 of 2022

ARUMUGACHAMY

... PETITIONER/PETITIONER

Vs

MURUGAN

... 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 1719 days in filing the CRP against the fair and decreetal order dated 14-10-2015, made in I.A.No.31/2015 in I.A.No.38/2014 in O.S.No.12/2013 on the file of District Munsif Court, Sattur, and thus render justice.

PRAYER IN C.R.P(MD)SR.No.65594 of 2022:

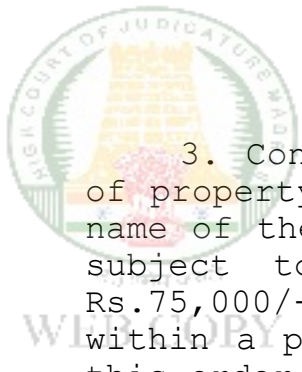
To call for the records relating witht he fair and decreetal order dated 14.10.2015 made in I.A.No.31/2015 in I.A.No.38/2014 in O.S.No.12/2013 on the file of District Munsif Court, satthur, and set aside the same.

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/S.R.SURIYANARAYANAN, Advocate for the petitioner and of M/S.C.M.ARUMUGAM, Advocate on behalf of the Respondent, the court made the following order:-

The petitioner has filed this civil miscellaneous petition to condone the delay of 1719 days in filing the present civil revision petition against the fair and decreetal order, dated 14.10.2015 in I.A.No.31 of 2015 in I.A.No.38 of 2014 in O.S.No.12 of 2013 on the file of District Munsif Court, Sattur.

2. The petitioner herein is the defendant in the partition suit filed by the respondent/plaintiff. They are brothers. The petitioner has filed documents to substantiate that the petitioner was out of the country and in Singapore and therefore, he could not file the present civil revision petition in time and the present civil revision petition has been filed at the stage, when Commissioner visited the property, pursuant to application filed for final decree

by the respondent.



3. Considering the fact that the dispute pertains to partition of property, which was allegedly purchased by the petitioner in the name of the respondent, this Court is inclined to condone the delay subject to the condition that the petitioner pays a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) to the respondent within a period of two months from the date of receipt of copy of this order and file a memo to that effect.

4. Subject to filing of such memo, Registry is directed to number the civil revision petition and list the case for admission.

sd/-  
09/03/2023

/ TRUE COPY /

/03/2023  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

sn

TO

THE DISTRICT MUNSIF, SATTUR.

COPY TO

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

+1 CC to M/s.R.SURIYANARAYANAN, Advocate ( SR-3909[I] dated 10/03/2023 )

+1 CC to M/s.ARUMUGAM C.M., Advocate ( SR-3929[I] dated 10/03/2023 )

ORDER

IN

C.M.P (MD) No.10222 of 2022  
in

C.R.P (MD) SR.No.65594 of 2022

Date :09/03/2023

RK/MMS/SAR-4 (17/03/2023) 2P/5C