



CMP(MD) No.10756 of 2022

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

Friday, the Twenty First day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD) No.10756 of 2022

in

SA(MD)SR.No. 69480 of 2022

C.AROCKIYAMARY

... PETITIONER/ APPELLANT

Vs

1 K.SURIYAMOORTHY

2 K.SHANMUGAM

3 K.RENGARAJ

4 K.CHELLAMUTHU

... RESPONDENTS/RESPONDENTS

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 162 days in preferring the second appeal.

PRAYER IN SA(MD)SR.No. 69480 of 2022:

Plealsed to set aside the judgment and Decreetal order dated 04.11.2020 made in A.S.NO. 4 of 2018 on the file of the learned Additional Sub Court, Pudukkottai, confirming the judgment decree dated 05.12.2017 made in O.S.No. 96 of 2007 on the file of the learned District Munsif, Pudukkottai and allow the second 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

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



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M/S D.RAMESHKUMAR, Advocate for the petitioner and of MR.K.C.MANIYARASU, Advocate for the Respondents 1 to 4, the court made the following order:-

This Petition is filed to condone the delay of 162 days in preferring the second Appeal before this Court.

2. The learned counsel appearing for the respondents have objected to allow the petition.

3. Heard the learned counsel appearing for the petitioner and the learned counsel for the respondents and perused the materials placed before this Court.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, the delay of 162 days in preferring the second Appeal is condoned on payment of costs of Rs.1,000/- (Rupees One Thousand only) by the petitioner to the respondents directly within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without further reference to this Court. Accordingly, this Civil Miscellaneous Petition is allowed.



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5. Registry is directed to number the appeal, if it is otherwise in order and list it for admission in the usual course.

sd/-
21/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA
TO

1 THE ADDITIONAL SUBORDINATE JUDGE, PUDUKKOTTAI.

2 THE DISTRICT MUNSIF, PUDUKKOTTAI

COPY TO

1 THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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

ORDER
IN
CMP(MD) No.10756 of 2022
in
SA(MD)SR.No. 69480 of 2022
Date :21/07/2023

PKP/DD/SAR- /28.07.2023/ 3P/5C
Madurai Bench of Madras High Court is issuing certified
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