



CMP(MD) No.15646 of 2023

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

Friday, the Seventeenth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

C.M.P.(MD).No.15646 of 2023
in
S.A.(MD).No.470 of 2017

S. MEENAKSHI SUNDARAM

... PETITIONER/ APPELLANT

Vs

1 SUBBURAMAN(DIED),

2. ARUMUGATHAMMALL (DIED)

3.BASHEERA BEGAM

4 KALA ALAIS JANAGI (DIED)

5 BANU @ BANUMATHI

6 RASU @ RAJESWARI

7 RAMANATHAN

...RESPONDENTS 5 TO 7

8 MEENAAL

...8TH RESPONDENT

9 PANNERSELVAM @ KALAMANI

10 BLACHANDAR



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11 HARIHARAN
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12 SUBAPRIYADHARSHINI

... RESPONDENTS 9 TO 12

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 358 days in filing an application to set aside the order of dismissal for default dated 10-10-2022 in S.A.470 of 2017 passed by this Honourable Court against the 8th respondent, Meenal and pass such further or other orders, as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER IN S.A.(MD).No.470 of 2017:

To allow the appeal and decre the suit in O.S.No.33/2006 on the file of the Subordinate Judge, Devakottai with the cost.

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 MR.G.D.MANIKANDAN, Advocate for the petitioner and of MR.V.R.SHANMUGANATHAN, Advocate on behalf of the Respondent No.7 and MR.S.MANIKANDAN, Advocate for the Respondent No.3, the court made the following order:-

This Civil Miscellaneous Petition has been filed to condone the delay of 358 days in filing the petition to set aside the order, dated 10.10.2022 passed by this Court in S.A.(MD).No.470 of 2017.



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2. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this Civil Miscellaneous Petition is allowed.

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sd/-
17/11/2023

/11/2023

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

nsr

TO

THE SUBORDINATE JUDGE, DEVAKOTTAI

COPY TO

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

ORDER
IN

C.M.P.(MD).No.15646 of 2023
in

S.A.(MD).No.470 of 2017
Date :17/11/2023

RK/JGB (21/11/2023) 3P / 3C

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