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C.M.P.No.18651 of 2024
in O.S.A.No.115 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

C.M.P.No.18651 of 2024

in

O.S.A.No.115 of 2022

P.Arun Samuvel

... Petitioner

Vs.

1.Bright Joseph

Member – YMCA Madras,
Flat No.9, Brindavan Flats,
24, Papanasam Sivan Salai,
Mylapore, Chennai – 600 004.

2.V.P.Muthu Williams

Member – YMCA Madras,
No.1, Bathragiri Nagar,
Kodungaiyur, Chennai – 600 118.

3.L.C.Joshua

Member – YMCA Madras,
A/7/3A, Gemini Parsen Flats,
Chennai – 600 006.



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4.M/s.Young Men Christian Association (YMCA),
A Registered Society
Represented by its General Secretary,
No.223, N.S.C. Bose Road,
Chennai – 600 001.

5.The Board of Directors,
YMCA Madras,
Represented by its President,
No.223, N.S.C. Bose Road,
Chennai – 600 001.

6.The Board of Trustees,
YMCA Madras,
Represented by its Managing Trustee,
No.223, N.S.C. Bose Road,
Chennai – 600 001.

7.P.Asir Pandian
General Secretary,
YMCA Madras
and the Managing Trustee of Board of Trustees,
223, N.S.C. Bose Road,
Chennai – 600 001.
Also at :
No.51/1, Raghavan Colony Main Road,
Vadapalani, Chennai – 600 026.

8.Vincent George,
President – Board of Directors,
YMCA Madras,
No.1, Ambali Lane,
Karnan Street, Ambedkar Road,



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Kodambakkam, Chennai – 600 024.

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9.J.Benjamin Franklin

Vice President – Board of Directors,
YMCA Madras and Member

Board of Trustees

YMCA Madras,

No.10, Thangavelu Street,

Vetri Nagar, Chennai – 600 082.

Also at :

YMCA College of Physical Education,

Nandanam, Chennai – 600 035.

10.Mr.D.Alex Madhavan,

Member – Board of Directors,

YMCA Madras and

Member – Board of Trustees,

YMCA Madras,

No.6, Tank Road,

United India Colony,

Kodambakkam, Chennai – 600 024.

11.Vincent Sahayaraj,

Member – Board of Directors,

YMCA Madras and

Member – Board of Trustees,

YMCA Madras,

No.12/6, Buddha Street,

Kodambakkam, Chennai – 600 024.

12.B.Ravikumar David,

Member – Board of Directors,

YMCA Madras and

Member – Board of Trustees,

YMCA Madras,



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No.17, Kalathiappa Mudali Street,
Choolai, Chennai – 600 112.

13.M.M.Selvakumar,
Vice President – Board of Directors,
YMCA Madras,
No.52, 7th Cross Street,
Shenoy Nagar, Chennai – 600 030.

14.A.M.Packianathan Easter,
Member – Board of Directors,
YMCA Madras,
Room No.1, Hussain Plaza, No.160,
Thambu Chetty Street,
Chennai – 600 001.

15.Rajeev George,
Member – Board of Directors,
YMCA Madras,
No.43C, Tailors Road,
Kilpauk, Chennai – 600 010.
Also at :
YMCA College of Physical Education,
Nandanam, Chennai – 600 035.

16.M/s.Crystal Creations (India) Pvt. Ltd.,
Represented by its Managing Director,
No.321, (Old No.125),
T.T.K. Road, Alwarpet,
Chennai – 600 018.

17.M/s.V.A.R. Construction and Promoters Private Limited,
Represented by its Managing Director,
1/357, Shri Karthikeyan Laxmi Nagar,
Thuvariman Madurai, Madurai – 625 016.



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18.M/s.Madras Estates and Company,
Represented by its Managing Director,
No.24 and 25 West Cott Road,
Royapettah,
Chennai – 600 014.

... Respondents

Prayer in C.M.P.No.18651 of 2024 : Civil Miscellaneous Petition filed under Section 5 of the Limitation Act to condone the delay of 144 days in representing the above Civil Miscellaneous Petition in C.M.P.SR.No.104156 of 2023 in O.S.A.No.115 of 2022.

Prayer in C.M.P.SR.No.104156 of 2023 : Civil Miscellaneous Petition filed under Order XVI Rule 8 of Original Side Rules r/w. Order 1 Rule 10(ii) of Code of Civil Procedure to implead the petitioner/3rd party as 16th respondent in O.S.A.No.115 of 2022.

Prayer in O.S.A.No.115 of 2022 : Original Side Appeal filed under Order XXXVI Rule 9 of Original Side Rules r/w. Clause 15 of the Letters Patent against the order and decree dated 08.10.2021 in A.No.1844 of 2021 in C.S.Diary No.36935 of 2021, on the file of this Court.

For Petitioner : Mr.A.R.Nixon



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ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This Civil Miscellaneous Petition is filed to condone the delay of 144 days in representing the above Civil Miscellaneous Petition in C.M.P.SR.No.104156 of 2023 in O.S.A.No.115 of 2022.

2.Though this petition has been filed to condone the inordinate delay of 144 days, this Court finds from the affidavit filed in support of this petition that the petitioner has given sufficient cause for the delay. The reasons stated in the affidavit filed in support of this petition cannot be discarded. This Court is also convinced with the reasons stated therein.

3.Hence, the delay is condoned and this petition is ordered.

(S.S.S.R., J.) (A.D.M.C., J.)
21.10.2024

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Internet : Yes
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S.S. SUNDAR, J.
and
Dr.A.D. MARIA CLETE, J.

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