



CMP(MD).No.2547 of 2024

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

Friday, the Twenty Second day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

CMP(MD).No.2547 of 2024
in
CMP(MD)SR.No.18678 of 2019
in
SA.No.729 of 1999

1.SIVAKAMI

2.MURUGAN

3.MINOR RAGHUPATHY

... PETITIONERS/PETITIONERS/
APPELLANTS

(MINOR APPELLANT REP.BY HIS MOTHER
AND NATURAL GUARDIAN THE 1ST
APPELLANT SIVAKAMI)

Vs

1 S.GOVINDAMMAL

2 PERIYAGOVINDAN

... RESPONDENTS/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 995 days in representation the restore petition in CMP(MD) Sr.No. 18678 in SA.No.729 of 1999 and take the Restore Petition on file and decide the matter on merits and thus render justice.



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PRAYER IN CMP(MD)SR.No.18678 of 2019:

To restore the Second Appeal in S.A.No.729 of 1999 which was dismissed on 29.03.2019. Hence this Hon'ble Court has to restore the above the Second Appeal on file and decide the matter on merits.

Prayer in SA.No.729 of 1999:

Second Appeal is filed under Section 100 of the code of Civil Procedure, against the decree and judgment made in A.S.No.187 of 1995, dated 10.12.1996, on the file of the learned Additional Subordinate Judge, Srivilliputtur, reversing the decree and judgment made in O.S.No.299 of 1991, dated 22.08.1995, on the file of the learned District Munsif Court, Sattur.

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.K.MUTHU GANESA PANDIAN, Advocate for the petitioners, the court made the following order:-

This petition has been filed to condone the delay of 995 days in representing the restoration petition in CMP(MD)SR.No.18678 of 2019 in the above appeal.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. Considering the reasons stated in the affidavit filed in support of this petition and also considering the inordinate delay, this Court is inclined to allow this petition on payment of cost.



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4. Accordingly this petition is allowed on condition that the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) as cost to the credit of the District Siddha Medical Officer, A/c.No.10767823177, IFSC Code No.SBI, 0000898, MICR Code No. 625002601, Branch: State Bank of India, Periyakulam, within 10 days from today, failing which this petition shall stand dismissed automatically without any further reference to this Court. If the amount is being made within the prescribed time, the Registry is directed to number the restore petition.

sd/-
22/03/2024

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/04/2024

Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE ADDITIONAL SUBORDINATE JUDGE, SRIVILLIPUTTUR,
- 2.THE DISTRICT MUNSIF, SATTUR.

COPY TO

- 1.THE SUB ASSISTANT REGISTRAR(AE)
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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

3. THE DISTRICT SIDDHA MEDICAL OFFICER,
PERIYAKULAM.

ORDER
IN
CMP(MD).No.2547 of 2024
in
CMP(MD)SR.No.18678 of 2019
in
SA.No.729 of 1999
Date :22/03/2024

RK/VR (03/04/2024) 4P / 6C

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