



CMP(MD) No.3205 of 2024

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

Thursday, the Seventh day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.3205 of 2024
in
SA(MD)SR.No.53460 of 2015

1 MUTHUSAMY (DIED) ... SOLE APPELANT

2. L.M.AMBIGA

3 L.M.SENTHIL

4 M.SANKARALAKSHMI

5 M.LAKSHMANAKANTH

(PETITIONERS 2 TO 5 ARE BROUGHT ON RECORD AS LRS
OF THE DECEASED SOLE PETITIONER VIDE COURT ORDER
DT.16.02.2024 MADE IN CMP(MD)No.s1779,1781 & 1783/2024
in SA(MD)SR.No.53460/2015)

... PETITIONERS 2 TO 5/PROPOSED APPELLANTS 2 TO 5

Vs

1 M.SHANMUGAVADIVU,

2 M.VALLIYAMMAL

... RESPONDENTS/RESPONDENTS

<https://www.mhc.tn.gov.in/judis> Civil Miscellaneous Petition filed praying that in the circumstances stated



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therein and in the affidavit filed therewith the High Court may be pleased to Condone the delay of 2251 days in representing the above Second Appeal in SA SR No.53460 of 2015 and pass such further or other orders, as this Honourable Court may deems fit and proper in the circumstances of the case and thus render justice.

PRAYER IN SA(MD)SR.No.53460/2015:

Pleased to set aside the judgment and decree passed in A.S.No.17 of 2013 on the file of Principal District Court, Thoothukudi dated 19.06.2015 reversing the judgment and decree passed in O.S.No.31 of 2009 on the file of Sub-Court, Thoothukudi dated 27.04.2012.

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.M.P.SENTHIL, Advocate for the petitioner and of on behalf of the Respondents the court made the following order:-

This Petition is filed to condone the delay of 2251 days in representing the Second Appeal before this Court.

2. Heard on either side and perused the materials available on record.

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

4. This petition is allowed on condition that the petitioners shall pay the cost of Rs.2,250/- (Rupees Two Thousand Two Hundred and Fifty only) to the credit of Women Advocates Association, Madurai Bench of Madras High Court (Account No:6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai) for the purpose of maintaining Creche on or before 12.03.2024.



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5. On such payment being made, Registry is directed to number the appeal and post the same on 12.03.2024, 'for Admission'.

sd/-
07/03/2024

/ TRUE COPY /

12/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA
TO
1 THE PRINCIPAL DISTRICT JUDGE,
THOOTHUKUDI.

2 THE SUBORDINATE JUDGE,
THOOTHUKUDI.

COPY TO:
1 THE SUB ASSISTANT REGISTRAR,
A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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

3 THE OFFICER INCHARGE,
WOMEN ADVOCATES ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI.

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ORDER
IN
CMP(MD) No.3205 of 2024
Date :07/03/2024

SA/GS/SAR. /12.03.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.