



CMP(MD) No.15035 of 2023

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

Wednesday, the Tenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.15035 of 2023

in

AS(MD)SR.No.13456 of 2023

S.NEO ANTONY PREMNATH

... PETITIONER/APPELLANT

Vs

G.GEORGE JOSEPH

... RESPONDENT/RESPONDENT

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 268 days in filing the above first appeal.

PRAYER in AS(MD)SR.No.13456 of 2023:

To set aside the judgment and decree dated 16.11.2021 passed in O.S.No.78 of 2021 on the file of Learned Principal District Judge, Dindigul.

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 Mr.B.AZHAGESH, Advocate on behalf of the Respondent, the Court made the following order:-

The learned Counsel appearing for the respondent vehemently objected for condoning the delay. In the counter affidavit, the respondent has stated that no



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reason is stated in the affidavit of the petitioner, hence, condone delay cannot be entertained. However, this Court is inclined to condone the delay, since the delay is only for 268 days.

2.The petitioner / appellant is directed to pay Rs.1,000/- to the learned Counsel appearing for the respondent within a period of two weeks. On such payment, this Civil Miscellaneous Petition is allowed. Registry is directed to number the appeal, if it is otherwise in order and post on 24.04.2024 for further hearing, if it is in order.

sd/-
10/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TMG

TO

THE PRINCIPAL DISTRICT JUDGE,
DINDIGUL.

COPY TO:

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



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

ORDER
IN
CMP(MD) No.15035 of 2023
in
AS(MD)SR.No.13456 of 2023
Date :10/04/2024

SS/VR/SAR- /16/04/2024/3P/4C

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