



CMP(MD) No.3184 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Eighteenth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CMP(MD) No.3184 of 2021

in

SA(MD) No.SR17493 of 2021

KALLAPIRAN

... PETITIONER/ APPELLANT

Vs

1 RAJENDRAN

2 MUTHU

3 ULAGAMMAL

... 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 266 days in preferring the Second Appeal in S.A.(MD). S.R.No.17493 of 2020 before this Hon`ble Court as against the judgment and decreetal order dated 21.02.2019 made in A.S.No.15 of 2018 on the file of the learned 3rd Additional District Judge, Tirunelveli confirming the judgment and decreetal order dated 29.08.2017 made in O.S.No.16 of 2013 on the file of the learned Sub Judge, Ambasamudram.

Prayer in SA(MD) No.SR17493 of 2021 :

To set aside the judgment and decreetal order dated 21.02.2019 made in A.S.No.15 of 2018 on the file of the learned 3rd Additional District Judge, Tirunelveli confirming the judgment and decreetal order dated 29.08.2017 made in O.S.No.16 of 2013 on the file of the learned Sub Judge, Ambasamudram, and allow the Second Appeal.

<https://www.mhc.tn.gov.in/judis>



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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.S.DEENADHAYALAN, Advocate for the petitioner and of MR.A.SANKARA RAMA SUBRAMANIAN, Advocate on behalf of the 1st Respondent, the court made the following order:-

This petition has been filed to condone the delay of 266 days in filing the appeal.

2.The learned counsel for the respondent herein produced the final decree copy, which was passed on 08.12.2021. Even in the final decree application the petitioner remained exparte. So he can challenge the final decree without challenging the preliminary decree. With the above said liberty, this petition stands disposed of.

sd/-

18/06/2024

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/06/2024

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

TO

1 THE III ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI.

2 THE SUBORDINATE JUDGE,
AMBASAMUDRAM.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-6649[I] dated 19/06/2024)



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CMP(MD) No.3184 of 2021

ORDER
IN
CMP(MD) No.3184 of 2021
in
SA(MD) No.SR17493 of 2021
Date :18/06/2024

RS/VR/SAR-(26.06.2024) 3P 4C
Madurai Bench of Madras High Court is issuing
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