



C.M.P(MD).No.3721 of 2023

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

Thursday, the Twenty Fourth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN  
and  
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

C.M.P(MD).No.3721 of 2023  
in  
C.M.A.(MD)S.R.No.9735 of 2023

M.SIVASUBRAMANI,

... PETITIONER/PETITIONER

Vs

P.KAVITHA,

... 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 374 days in filing of the above C.M.A. (MD). SR. No. 9735 of 2023 and thus render justice.

PRAYER IN C.M.A.(MD)S.R.No.9735 of 2023:

Pleased to set aside the fair and decretal order dated 14.10.2019 rendered in HMOP.No.174 of 2019 on the file of the learned Family Court, Madurai and to dismiss the suit in to and thus render justice.

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.GOKUL RAJ, Advocate for the petitioner and of Mr.S.MALAIKANI, Advocate on behalf of the Respondent, the court made the



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following order:-

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This petition has been filed to condone the delay of 374 days in filing the appeal.

2.Despite the sufficient opportunity given to the respondent, the respondent has not filed any counter.

3. The reasons stated in the accompanying affidavits are not satisfactory. However, in order to give opportunity to the parties to resolve the dispute on merits, the petition is allowed on condition that the appellant shall pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, bearing Account No.496039124 at Indian Bank, High Court Branch, Madurai, towards costs, on or before 12.11.2024, failing which, the petition shall stand dismissed automatically without any further reference to Court.

4. List the matter on 13.11.2024 'for reporting compliance'.

sd/-  
24/10/2024

/ TRUE COPY /

/11/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

VSG  
TO  
THE JUDGE,  
FAMILY COURT,  
MADURAI

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



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COPY TO:

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

2 THE OFFICER INCHARGE,  
ADVOCATE CLERK'S WELFARE ASSOCIATION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
C.M.P(MD).No.3721 of 2023  
in  
C.M.A.(MD)S.R.No.9735 of 2023  
Date :24/10/2024

SA/JGB/SAR. /06.11.2024/3P/4C

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