



CMP(MD) No.6393 of 2023

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

Thursday, the Eighth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.6393 of 2023

IN

SA(MD)SR.No.25521 of 2021

1 USMAN KHAN

2 RAHIMA GANAM

3 SUBAITHA GANAM

4 K.SHAMIM BANU

5 NAGIS

6 K.JAVID

7 ARIFA GANAM

8 SAJID @ YAKUB KHAN

... PETITIONERS/ APPELLANTS

(MEMO DATED 29.08.2023 FILED ON 30.08.2023 IN USR NO.29629 IS RECORDED, TO THE EFEECT THAT ISSUANCE OF NOTICE TO RESPONDENTS 7,9,10 AND 11 IS DISPENSED WITH, VIDE COURT ORDER DATED 14.09.2023 MADE IN CMP (MD).No.6393 OF 2023 IN SA(MD).SR.No.25521 OF 2021 BY PVMJ)

Vs

1 P.VITTAL NAIDU

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



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2 V.GOVINDARAJAN

3 V.VARADHARAJAN

4 AZADULLAH KHAN (DIED)

5 DHAHARULLAH KHAN (DIED)

6 JAFRULLAH KHAN (DIED)

7 MUSTHARIS GANAM

8 KASIM KHAN (DIED)

9 FATHIMA

10 FLAZ KHAN

11 SHAMMEENA GNANAM

... RESPONDENTS/RESPONDENTS

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 3218 days in filing Second Appeal against Hon`ble Principle Subordinate Judge, Tiruchirappalli, in A.S.No.29 of 2002 dated 09-04-2011.

PRAYER IN SA(MD)SR.No.25521/2021:

Pleased to set aside the Judgment and Decree made by the Principal Subordinate Judge, Thiruchirappalli in A.S.No.29 of 2002 dated 09-04-2011 confirming the Judgment and Decree made in O.S.No.1265 of 1984 dated 30.01.2000 on the file of the 1st Additional District Munsif, Tiruchirappalli and allow this Second Appeal.

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.XAVIER ANTONY SAMY, Advocate for the petitioners and of none appeared for the Respondents No.1 to 3 side either in person or by an advocate,



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on behalf of the Respondents the court made the following order:-

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Being satisfied with the reasons stated in the affidavit filed in support of this petition, this Court is inclined to allow this petition on payment of cost of Rs.5,000/- payable to the following organization which is meant for disabled children on or before 01.03.2024.

“SAKSHAM”

Swami Sivanandha Sevarshram,

Austin Patti Road, Thopur, Madurai.

Contact Person: Mr.Sri Govindharaj.

Mobile Number: 63740 48342.

3. On such payment being made, Registry is directed to number the second appeal, if it is otherwise in order.

sd/-
08/02/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TMG
TO

<https://www.mhc.tn.gov.in/judis> 1. THE PRINCIPAL SUBORDINATE JUDGE, THIRUCHIRAPPALLI.



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2 THE I ADDITIONAL DISTRICT MUNSIF, TIRUCHIRAPPALLI.

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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,

"SAKSHAM"

SWAMI SIVANANDHA SEVARSHRAM,

AUSTIN PATTI ROAD, THOPUR, MADURAI.

CONTACT PERSON: MR.SRI GOVINDHARAJ.

MOBILE NUMBER: 63740 48342.

ORDER IN

CMP(MD) No.6393 of 2023

Date :08/02/2024

SA/JGB/SAR. /12.02.2024/4P/6C

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