



CMP(MD) No.4462 of 2023

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

Friday, the Sixteenth day of August Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD) No.4462 of 2023
in
SA(MD) SR No.24986 of 2023

AMS NAGARAJAN (DIED)

1 A.M.S. MANICKAVASAGAM
2 A.M.S.CHANDRASEKARAN
3 A.M.S.RADHAKRISHNAN
4 A.M.S.BALAKRISHNAN

... Petitioners / Appellants

Vs

1 R. NAGENDRAN
2 R.DHEEVESWARI
3 SUNDARARAJARAMAN@SELVARAJ
4 NAGARATHINAM
5 JEYAMANI

... 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 308 days in filing the above second appeal.

Prayer in SA(MD) SR No.24986 of 2023:

To call for the records pursuant to the judgment and decree of Sub Court, Virudhunagar in A.S.No.28 of 2011 dated 27.09.2019 by confirming the judgment and decree passed in O.S.No.97 of 2004 dated 20.07.200, passed by the District Munsif Court, Virudhunagar and set aside the same and decree the suit.



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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.LAKSHMI GOPINATHAN, Advocate for M/S. POLAX LEGAL SOLUTIONS, Advocate for the petitioner and of Mr.M.KANNAN, Advocate on behalf of the Respondent Nos.1 to 3 and of not appeared for Respondent Nos.4 and 5 in person or through by an Advocate, the Court made the following order:-

This Civil Miscellaneous Petition is filed to condone the delay of 308 days in filing the second appeal in SA(MD) SR No.24986 of 2023.

2.The learned counsel for the respondents 1 to 3 has raised strong objection that there is a huge delay and the same was also not properly explained.

3.In view of the above, this Civil Miscellaneous Petition is allowed on a condition that the petitioners are directed to pay a sum of Rs.2000/- (Rupees Two Thousand) to the Kalaigarn Centenary Library, Madurai, within a period of four weeks.

4.List the matter after four weeks along with proof of payment.

sd/-
16/08/2024

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/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN



CMP(MD) No.4462 of 2023

To கீழ்க் குறிப்பிட்ட

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1.The Subordinate Judge,
Virudhunagar.

2.The District Munsif,
Virudhunagar.

Copy to:

The Officer Incharge,
Kalaigai Centenary Library,
Madurai.

+1 CC to M/s.M/S.POLAX LEGAL SOLUTIONS, Advocate (SR-10006[I] dated
16/08/2024)

ORDER
IN
CMP(MD) No.4462 of 2023
in
SA(MD) SR No.24986 of 2023
Date :16/08/2024

ED/ VR /SAR- (23/08/2024) 3P / 5C

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