



CMP(MD) No.11209 of 2023

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

Friday, the Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.11209 of 2023

IN

CROSS OBJ (MD)SR.No. 12710 of 2022

SENTHILVADIVU ... PETITIONER/CROSS OBJECTOR/ 2nd RESPONDENT

Vs

1 MARICHAMY ...1st RESPONDENT/ APPELLANT/DEFENDANT

2 SENTHAMILSELVI ...2nd RESPONDENT/1st RESPONDENT/ PLAINTIFF

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 382 days in filing the Cross Objection in the above Second Appeal No.28 of 2022 and thus render justice.

PRAYER IN CROS.OBJ(MD)SR.No. 12710 of 2022:

to pass an order by setting aside the decree and judgment passed in A.S.No. 99/2019 by the Hon'ble I Additional Subordinate Judge, Madurai on 08.01.2021 by allowing the cross objection filed by the Cross Objector herein.

Prayer in SA(MD). 28/ 2022 :

To set aside the Judgment and Decree passed in A.S. No.99 of 2019 dated 08-01-2021 on the file of the First Additional Subordinate Judge, Madurai confirming the Judgment and decree passed in O.S. No.182 of 2016 dated 16-12-2017 on the file of the Munsif Court, Madurai Taluk, Madurai and by allowing this 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.T.JOSUAH, Advocate for the petitioner and of MR.R.CHANDRASEKAR, Advocate for the 1st Respondent and for MR.P.PARANTHAMAN, Advocaote for the 2nd Respondnet, the court made the following order:-

This Petition is filed to condone the delay of 382 days in filing the Cross Objection in the Second Appeal.

2. Heard on either side and perused the materials available on record.

3. I have perused the affidavit filed in support of the petition. Considering the reasons stated in the affidavit filed in support of this petition, this Court is inclined to allow this petition on payment of cost.

4. This petition is allowed on condition that the petitioner shall pay the cost of Rs.500/- (Rupees Five Hundred only) to the credit of District Siddha Medical Officer, CCRI, Periyakulam (A/c.No.10767823177, IFSC Code:SBIN0000898, State Bank of India, Periyakulam Branch) on or before 14.02.2024.



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5. On such payment being made, Registry is directed to number the Cross Objection, if it is otherwise in order and list the matter on 14.02.2024.

sd/-
02/02/2024

/ TRUE COPY /

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

KSA
TO

1 THE I ADDITIONAL SUBORDINATE JUDGE, MADURAI.

2 THE DISTRICT MUNSIF, MADURAI.

COPY TO
THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

ORDER
IN
CMP(MD) No.11209 of 2023
IN
CROSS OBJ (MD)SR.No. 12710 of 2022
Date :02/02/2024

PKP/GS/SAR /09.02.2024/ 3P/ 4C

Madurai Bench of Madras High Court is issuing certified
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