



CMP(MD) No.10492 of 2023

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

Tuesday, the Sixteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.10492 of 2023

IN

AS(MD)SR.No. 10888 of 2016

DINAKARAN (DIED)

RAJKUMAR ,

... PETITIONER/ APPELLANT

Vs

1 MURUGAN (DIED)

1.PARAMESHWARI ,

2 MINOR MARUTHAMUTHU PANDY

3 MINOR PANDI MEENA

4 RAJALAKSHMI

... 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 1698 days in filing the petition to set aside the order dated 11.08.2016 made in AS.(MD).SR.No.10888/2016.

PRAYER IN AS(MD)SR.No. 10888 of 2016:

To allow the above appeal and consequently set aside the decree and judgment

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dated 26.08.2015 passed by the Learned Additional District Judge, Theni made in O.S.No. 18 of 2006 forthwith.

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.R.SURIYANARYANAN, Advocate for the petitioner and of MR.S.ANAND CHANDRASEKAR, Advocate for the Respondents 1 to 4 and of MR.B.RAJESH SARAVANAN, Advocate for the 5th Respondent, the court made the following order:-

This Petition is filed to condone the delay of 1698 days in filing the petition to set aside the Order, dated 11.08.2016 made in A.S(MD)SR.No.10888 of 2016.

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

3. 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.2,000/- (Rupees Two Thousand only) to the credit of Women Advocates Association, Madurai Bench of Madras High Court (Account No:6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai) for the purpose of maintaining Creche, on or before 22.04.2024.



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5. On such payment being made, Registry is directed to number the appeal and post the matter on 22.04.2024.

sd/-
16/04/2024

/ TRUE COPY /

18/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA

TO

THE ADDITIONAL DISDRICT JUDGE, THENI.

COPY TO

- 1 THE SUB ASSISTANT REGISTRAR
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SECTION OFFICER
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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3 THE OFFICER INCHARGE,
WOMEN ADVOCATES ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.10492 of 2023
IN
AS(MD)SR.No. 10888 of 2016
Date :16/04/2024

PKP/GS/SAR /18.04.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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