



C.M.P.(MD)No.7558 of 2024

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

Tuesday, the Ninth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

C.M.P.(MD)No.7558 of 2024

in

A.S.(MD)SR.No.45250 of 2023

1 R.THIRUVENKATACHARI

2 V.PRIYA

3 M.SATHYABAMA(DIED)

... APPELLANTS/DEFENDANTS

Vs

R.MUTHURAJAN

... 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 887 days in filing the above appeal beore this Honourable Court and thus render justice.

PRAYER IN AS(MD)SR.No. 45250 of 2023:

To set aside the Judgment and decree dated 26.08.2019 passed in O.S.No. 221 OF 2015 on the file of the IV Additional District Judge, Madurai and dismiss the suit, with cost.

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 Mr.AK.GOPALAN, Advocate for M/S. K.R.B. LAW ASSOCIATES, for



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the petitioner, the court made the following order:-

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The learned Counsel appearing for the petitioners submitted that he issued notice to the respondent twice and the same was returned as unclaimed. However, on verifying the endorsement, it is seen that the reasons are stated as unclaimed as well as door locked. Therefore, in order to give a benefit of doubt of the petitioners, this Court is accepting as the notice is served to the respondent, since the respondent has unclaimed the notice.

2. Therefore, on payment of Rs.1,500/- to the Creche attached to Madurai Bench of Madras High Court, within a period of one week, this petition is allowed. On such payment, Registry is directed to number the appeal, if it is otherwise in order.

sd/-
09/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TMG
TO
THE IV ADDITIONAL DISTRICT JUDGE,
MADURAI.

COPY TO:
THE OFFICER INCHARGE,
CRECHE ATTACHED TO MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
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in
A.S.(MD)SR.No.45250 of 2023
Date :09/07/2024

SA/GS/SAR. /16.07.2024/3P/C

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