



C.M.P(MD)No.7139 of 2022 in S.A(MD)SR.No.46255 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.M.P(MD)No.7139 of 2022

in

S.A(MD)SR.No.46255 of 2022

A.Muthuraj

... Petitioner / Petitioner

(Uravinmurai to Hindu Nadar owned by public interest
in the name of Arulmigu Muthumalaiamman Kovil Trustee)

Vs

- 1.The District Collector,
Thoothukudi, Thoothukudi District.
- 2.The District Revenue Officer,
Thoothukudi, Thoothukudi District.
- 3.The Division Revenue Officer,
Beach Road,
Thoothukudi District.
- 4.The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.
- 5.The Taluk Supply Officer,
Srivaikundam Taluk,
Thoothukudi District.
- 6.The Assistant Director (Panchayat),
Srivaikundam Taluk,
Thoothukudi District.



C.M.P(MD)No.7139 of 2022 in S.A(MD)SR.No.46255 of 2022

7.The Block Development Officer,
Srivaikundam Taluk, Thoothukudi District.

8.The Panchayat President,
Manjalneerkayal,
Srivaikundam Panchayat Union,
Thoothukudi District.

9.Ramachandran ... Respondents / Respondents/Defendants 1 to 9

Prayer in C.M.P(MD)No.7139 of 2022: Civil Miscellaneous Petition is filed under section 5 of Limitation Act to condone the delay of 50 days in filing the Second Appeal.

Prayer in S.A(MD)SR.No.46255 of 2022 : Second Appeal is filed under section 100 of C.P.C., against the judgment and decree passed in A.S.No. 344 of 2017 dated 22.12.2021 on the file of the Subordinate Court, Thiruchendur, confirming the judgment and decree passed in O.S.No.210 of 2009 dated 07.10.2016 on the file of the District Munsif Court, Srivaikundam.

For Petitioner : Mr.S.Muthumalai Raja

For Respondents : Mr.D.S.Nedunchezian
learned Government Advocate

ORDER

When the matter is taken up for hearing, learned counsel for the appellant would submit that inspite of the intimation given to the petitioner to pay the cost, he has not come forward. He has also submitted that the appellant is bed ridden. Therefore, cost was not paid.



C.M.P(MD)No.7139 of 2022 in S.A(MD)SR.No.46255 of 2022

2. In view of the above submission, no purpose is going to be served in keeping this Second Appeal, pending any further. Accordingly, this Civil Miscellaneous Petition is dismissed for default and the Second Appeal is rejected at the SR stage itself. No costs.

29.07.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No

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To

- 1.The Subordinate Judge, Thiruchendur.
2. The District Munsif, Srivaikundam.
3. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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C.M.P(MD)No.7139 of 2022 in S.A(MD)SR.No.46255 of 2022

G.ILANGOVA, J.

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ORDER
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