



CMP(MD) No.12540 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )  
Tuesday, the Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.12540 of 2023

in

SA(MD)SR.No.48723 of 2023

V. THANGASAMY

... PETITIONER/ APPELLANT

Vs

1 PALTHAI

2 PUSPAM

3 ARPUTHAMARI

4 BARULAL

5 LATHA

... RESPONDENTS/RESPONDENTS 1 TO 5

Civil Miscellaneous petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to excuse the delay of 404 days in filing the Second Appeal against the decree and Judgment in A.S.No.20 of 2020 dated 21.09.2020 on the file of the Additional Subordinate Judge, Tirunelveli District.

PRAYER in SA(MD)SR.No.48723 of 2023:

To set aside the judgment and decree passed in A.S.No.20 of 2020 on the file of the Additional Subordinate Judge, Tirunelveli dated 21.09.2020 and reversing in O.S.No.373 of 2013 on the file of the Principal District Munsif, Tirunelveli dated 16.12.2009 by allowing this appeal.



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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.J.PRISCILLA PANDIAN, Advocate for the petitioner and of Mr.R.J.KARTHICK, Advocate on behalf of the Respondents, the Court made the following order:-

This Petition is filed to condone the delay of 404 days in filing the Second Appeal before this Court.

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.600/- (Rupees Two Thousand only) to the credit of District Siddha Medical Officer, CCRI, Periyakulam (A/c.No.10767823177, IFSC Code:SBIN0000898, State Bank of India, Periyakulam Branch) within a period of one week from the date of receipt of a copy of this order.



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5. On such payment being made, Registry is directed to number the appeal, if it is otherwise in order and list it for admission.

sd/-  
09/01/2024

/ TRUE COPY /

/01/2024

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

KSA

TO

- 1 THE ADDITIONAL SUBORDINATE JUDGE, TIRUNELVELI.
- 2 THE PRINCIPAL DISTRICT MUNSIF  
TIRUNELVELI.

COPY TO:

- 1 THE DISTRICT SIDDHA MEDICAL OFFICER,  
CCRI, PERIYAKULAM
- 2 THE SUB-ASSISTANT REGISTRAR,  
A.E. SECTION  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.
- 3 THE SECTION OFFICER,  
JUDICIAL SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.



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ORDER  
IN  
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in  
SA(MD)SR.No.48723 of 2023  
Date :09/01/2024

SS/JGB/SAR- /12/01/2024/4P/6C

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