

CMA(MD). No.484 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Thursday, the Twenty Eighth day of August Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CMA(MD). No.484 of 2016

Kannan

... Appellant

Vs

1 Sivasubramanian,

2 Vairavanathan,

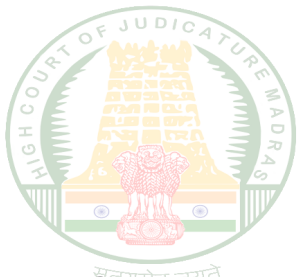
3 Thirunavukkarasu,

4 Sethu Ramalakshmi,
D/o.Late Kannappa Pillai,
No.41 Melapalayam Middle St.,
Mela Ambasamudram,
Ambasamudram Tk.
Tirunelveli District

5 Jeya Lakshmi(Died)
D/o.Late Kannappa Pillai,
No.41 Melapalayam Middle St.,
Mela Ambasamudram,
Ambasamudram Tk.,
Tirunelveli District.

Memo Dated 17.06.2022 Filed On 20.06.2022. ... Respondents

Prayer :-Civil Miscellaneous Petition filed under order 43, Rule 1 (r)of Code of Civil Procedure to set aside the fair and decreetal order passed in I.A.No.131 of 2012 in O.S.No.73 of 2011 dated 23.11.2015 on the file of Sub Court, Ambasamudram.



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ORDER:- This Petition coming on for hearing on this day under the caption
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'Extension of time for 'Lower Court' and upon perusing earlier order dated 26.06.2024 and the requisition submitted by the Sub Judge, Ambasamudram in D.No.1807/2025 dated 01.08.2025 through Principal District Judge, Tirunelveli in D.No.A1/9896/2025 dated 05.08.2025 seeking further to grant four months time to dispose of the suit in O.S.No.73 of 2011 this Court made the following Order:

"Today, this case is listed under the caption for "Extension of Time for Trial Court".

2. It is seen from the records that this Court, vide judgment dated 26.06.2024, directed the Sub Court, Ambasamudram to complete the trial and dispose of the suit in O.S.No.73 of 2011 within a period of six months from the date of receipt of copy of that judgment.

3. The learned Sub Judge, Ambasamudram, submitted a requisition dated 01.08.2025 through the learned Principal District Judge, Tirunelveli stating that he assumed charge as Sub Judge, Ambasamudram on 07.05.2025 and after vacation, he joined duty on 02.06.2025 and that direction was brought to his knowledge only on 21.07.2025 and hence, he could not dispose of the suit and now the case is pending for P.W.1 cross examination.



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4. Though this Court is not inclined to accept the reasons assigned, the learned Sub Judge, Ambasamudram, is hereby directed to complete the trial and dispose of the suit within a period of four months from the date of receipt of a copy of this order."

Sd/-

Assistant Registrar (CS.II)

// True Copy //

/ /2025

Sub Assistant Registrar
(CS-I/II/III/IV)

csm

TO

The Subordinate Judge,
Ambasamudram.

Copy to:

1. The Principal District Judge,
Tirunelveli.
2. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai



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ORDER DATED : 28/08/2025

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ORDER
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Giving direction and etc.
as stated within.

SL (10.09.2025)/4P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.