



C.M.P.(MD)No.688 of 2024

WEB COPY

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

Friday, the Twenty Second day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

C.M.P.(MD)No.688 of 2024
in
S.A.(MD)SR.No.69236 of 2023

1 JOSEPH RUSSEL RAJ

2 RUSSLIAN

... PETITIONERS/ APPELLANTS

Vs

1 STEPHEN

2 M.CHRISTINAL

3 PUNITHA VALARMATHI

4 MARY SHEEBA

5 MARY SHILAKUMARI

6 WILSON RAVI ALIAS WILSON DHASSIAH

7 MANOHARAN,

... RESPONDENTS/RESPONDENTS

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 247 days in filing the above Second Appeal in SA(MD). SR No.69236 of 2023 and thus render justice.



C.M.P.(MD)No.688 of 2024

PRAYER IN S.A.(MD)SR.No.69236 of 2023:

To allow the second appeal and set aside the Judgment and Decree dated 10.09.2022 made in A.S.No.18 of 2018 on the file of the Subordinate Court, Padmanabhapuram, reversing the judgment and decree made in O.S.No.309 of 2010 on the file of District Munsiff Court, Padmanabhapuram, dated 22.12.2017.

ORDER : This 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.C.SANKAR PRAKASH, Advocate for the petitioner and of MR.S.PALANIVELAYUTHAM, Advocate on behalf of the Respondents 1 to 3 and MR.G.SRIDHARAN, Advocate for the 6th Respondent and not appeared for the respondents 4, 5 & 7 either in person or through by an advocate, the court made the following order:-

This petition is filed to condone the delay of 247 days in filing the above appeal.

2. The learned counsel for the respondents 1 to 3 and 6 are present. No representation on behalf of the respondents 4, 5 and 7.

3. This Court has heard the learned counsel for the petitioner and perused the reasons assigned in the affidavit filed in support of this miscellaneous petition.

4. Since the reasons stated in the affidavit appear to be genuine and the delay appears to be huge, in the interest of justice, this petition is ordered and the delay is condoned subject to the payment of Rs.500/- (Rupees five hundred only) by the



C.M.P.(MD)No.688 of 2024

petitioners to the credit of the District Siddha Medical Officer CCRI PKM, Account
WEB COPY
No.10767823177, IFSC Code : SBIN0000898, MICR CODE : 625002601, Branch: SBI
Periyakulam, within a period of two weeks from the date of receipt of a copy of this
order. In default, this miscellaneous petition shall stand dismissed automatically
without any further reference to this Court.

5. On such payment, Registry is directed to take the appeal on file, if it is
otherwise in order and list it for admission in the usual course.

sd/-
22/11/2024

/ TRUE COPY /

/12/2024
Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi

TO

- 1.THE SUBORDINATE COURT, PADMANABHAPURAM.
- 2.THE DISTRICT MUNSIFF, PADMANABHAPURAM

COPY TO

- 1.THE DISTRICT SIDDHA MEDICAL OFFICER, CCRI PERIYAKULAM.
- 2.THE SUB ASSISTANT REGISTRAR(AE)
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



C.M.P.(MD)No.688 of 2024

3 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
C.M.P.(MD)No.688 of 2024
in
S.A.(MD)SR.No.69236 of 2023
Date :22/11/2024

RK/VR (29/11/2024) 4P / 6C

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