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*C.M.P.(MD)No.14378 of 2023
in A.S(MD)No.SR 75773 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 19.12.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.M.P.(MD)No. 14378 of 2023

in

A.S(MD)No.SR 75773 of 2023

M.M.Mohammed Hussain

: Appellant

Vs.

1.R.Raju

2.Mala

3.Sriram

4.Ananthakrishnan

5.Mahalakshmi

6.Bharathi

: Respondents

PRAYER in C.M.P(MD)No. 14378 of 2023: Civil Miscellaneous Petition filed under Order 41 Rule 3(A) of C.P.C, to condone the delay of 1924 days in filing the appeal against the judgment and decree, dated 04.11.2017 made in O.S.No.41 of 2016 on the file of the Additional District Judge (Fast Tract) Palani.



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PRAYER in A.S(MD)No.SR 75773 of 2023 : Appeal Suit is filed under Order 41 Rule 1 r/w Section 96 of C.P.C., to set aside the judgment and decree, dated 04.11.2017 made in O.S.No.41 of 2016 on the file of the Additional District Court (Fast Tract) Palani.

For Petitioner : Mr.R.Suriyanarayanan

ORDER

The above application has been filed seeking orders to condone the delay of 1924 days in filing the appeal against the judgment and decree, dated 04.11.2017 made in O.S.No.41 of 2016 on the file of the Additional District Judge (Fast Tract) Palani.

2.The learned counsel appearing for the petitioner has filed a memo stating that the matter was settled between the parties out side the Court and hence, he may be permitted to withdraw the CMP(MD) No.14378 of 2023, which came to be filed to condone the delay in filing the appeal.



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3. The said memo is recorded. Permission is graned. The Civil Miscellaneous Petition in CMP(MD)No.14378 of 2023 is dismissed as withdrawn and the appeal suit in A.S(MD)No.SR 75773 of 2023, is rejected at the SR stage itself. Registry is directed to refund the Court fee as per Rules in force.

19.12.2024

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

To

1.The Additional District Judge (Fast Tract)
Palani.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

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K.MURALI SHANKAR,J.

das

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Dated: 19.12.2024