



C.M.P.[MD]No.14247 of 2023

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

Wednesday, the Nineteenth day of June Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice G. ARUL MURUGAN

C.M.P.[MD]No.14247 of 2023
in
W.A.[MD]SR.No.77090 of 2023

1 THE EXECUTIVE OFFICER

ARULMIGU SRI PATHRAKALIAMMAN TEMPLE AND
ARULMIGU SRI MEENAKSHIAMMAN TEMPLE,
AMBATHURAI VILLAGE, AATHUR TALUK,
DINDIGUL DISTRICT.

2 THE TAHKKAR/MANAGER,

ARULMIGU SRI PATHRAKALIAMMAN TEMPLE AND
ARULMIGU SRI MEENAKSHIAMMAN TEMPLE,
AMBATHURAI VILLAGE, AATHUR TALUK,
DINDIGUL DISTRICT.

... PETITIONERS/ APPELLANTS

Vs

1.S.MAHALAKSHMI

2 THE DISTRICT REGISTRAR

OFFICE OF THE SUB - REGISTRAR,
CHINNALAPATTI,
DINDIGUL DISTRICT.



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3 THE SUB - REGISTRAR,
OFFICE OF THE SUB - REGISTRAR,
CHINNALAPATTI,
DINDIGUL DISTRICT.

4 THE JOINT COMMISSIONER,
OFFICE OF THE JOINT COMMISSIONER,
H.R. AND C.E. DEPARTMENT,
ELLIS NAGAR,
MADURAI.

5 THE ASSISTANT COMMISSIONER,
H.R. AND C.E. DEPARTMENT,
DINDIGUL.

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous 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 937 days in filing the present Writ Appeal against the order dated 28.02.2019 in W.P.(MD).No.7347 of 2018 on the file of this Hon'ble Court and thus render justice.

PRAYER IN W.A.[MD]SR.No.77090 of 2023:

To set aside the order dated 28.02.2019 in WP(MD)No.7347 of 2018 passed by this Hon'ble Court and allow this Writ Appeal.

Prayer in WP(MD). 7347/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the 3rd respondent dated 08.03.2018 in Na.Ka.No.9899/2018/E4 and quash the same and issue a consequential direction to the 2nd respondent to register any documents presented by the petitioner relating to her property comprised in S.No.14/9 situated at Ambathurai Village by ignoring the objections made by the respondents 2 to 6.

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.AN.RAMANATHAN, Advocate for the petitioner and of



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Mr.S.Loganeshan, Advocate on behalf of the Respondent No.1 and MR.R.RAGAVENDRAN, Government Advocate for the respondents 2 & 3 and not appeared for the respondents 4 & 5 either in person or through by an advocate, the court made the following order:-

(Order of the Court was made by R.SURESH KUMAR, J.)

This petition is filed to condone the delay of 937 days in filing the W.A.[MD] SR.No.77090 of 2023.

2.Heard the learned Counsel for the petitioners, Mr.S.Loganeshan, learned Counsel for the first respondent and Mr.R.Ragavendran, learned Government Advocate for the respondents 2 & 3.

3.Though notices have been served on the respondents 4 & 5, they have not appeared before this Court. However, since the delay is 937 days, for which, even though some reasons have been stated, after having gone through the same, we do feel that, if at all the delay is condoned, as some prejudice is being caused since after 937 days the present appeal is filed, it can be allowed only on terms.

4.Accordingly, this Civil Miscellaneous Petition is allowed on condition that the petitioners shall pay a sum of Rs.5000/- [Rupees Five Thousand only] as cost to the



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first respondent and the said cost shall be paid to the first respondent through the learned Counsel for the first respondent.

sd/-
19/06/2024

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/06/2024

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

mr

TO

1 THE DISTRICT REGISTRAR
OFFICE OF THE SUB - REGISTRAR,
CHINNALAPATTI,
DINDIGUL DISTRICT.

2 THE SUB - REGISTRAR,
OFFICE OF THE SUB - REGISTRAR,
CHINNALAPATTI,
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3 THE JOINT COMMISSIONER,
OFFICE OF THE JOINT COMMISSIONER,
H.R. AND C.E. DEPARTMENT,
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AMBATHURAI VILLAGE, AATHUR TALUK,
DINDIGUL DISTRICT.

ORDER

IN

C.M.P.[MD]No.14247 of 2023

in

W.A.[MD]SR.No.77090 of 2023

Date :19/06/2024

RK/VR (27/06/2024) 5P / 7C

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