



C.M.P(MD)Nos.16435 and 16436 of 2023

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

Wednesday, the Fourth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

C.M.P(MD)Nos.16435 and 16436 of 2023

in

C.M.S.A(MD)SR.No.85787 and 85788 of 2023

PRAVEENA

... PETITIONER/ APPELLANT
IN BOTH PETITIONS

Vs

KANNAN

... RESPONDENT/RESPONDENT
IN BOTH PETITIONS

Prayer in CMP(MD). 16435/ 2023 :

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Condoning the delay of 544 days in filing the Civil Miscellaneous second appeal and thus render justice.

Prayer in CMSA(MD)SR.85787/2023:

Pleased to pass a judgement and decree in favour of the appellant by setting aside the judgement and decree dated 12/01/20222 passed in the Civil Miscellaneous Appeal in HMCMA No.34 of 2019 on the file of the Principal District Court, Thoothukudi reversing the judgement and decree dated 19/09/2019 passed in HMOP No.93 of 2018 on the file of the Subordinate Court, Kovilpatti.

Prayer in CMP(MD). 16436/ 2023 :

To Condoning the delay of 544 days in filing the Civil Miscellaneous second appeal and thus render justice.

<https://www.jmc.tn.gov.in/judis>



C.M.P(MD)Nos.16435 and 16436 of 2023

Prayer in CMSA(MD)SR.85788/2023:

Pleased to pass a judgement and decree in favour of the appellant by setting aside the judgement and decree dated 12/01/20222 passed in the Civil Miscellaneous Appeal in HMCMA No.35 of 2019 on the file of the Principal District Court, Thoothukudi reversing the judgement and decree dated 19/09/2019 passed in HMOP No.195 of 2018 on the file of the Subordinate Court, Kovilpatti.

ORDER : These Civil Miscellaneous Petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.J.BARATHAN, Advocate for the petitioner in both Petitions and of none appeared for the Respondent side either in person or by an advocate in both Petitions, the court made the following order:-

These petitions are filed to condone the delay of 544 days in filing the appeals.

2. Heard the learned counsel for the petitioners. (*)**Notice sent privately to the respondent was served on 12.12.2023 and the notice sent by the Court was returned with an endorsement 'refused' and none entered appearance for the respondent.**

3. Being satisfied with the reasons stated in the affidavit filed in support of the petitions, these petitions are allowed and the delay of 544 days in filing the appeals is condoned on condition that the petitioners shall pay a cost of Rs.1,000/- (Rupees One Thousand Only) each to the credit of the District Siddha Medical Officer CCRI PKM, A/c No 10767823177, IFSC Code : SBIN0000898, MICR CODE : 625002601, Branch: SBI Periyakulam, on or before **11.09.2024**.



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4. On production of proof for payment, the Registry is directed to number the appeals and post the appeals for admission.

sd/-
04/09/2024

**(*)CLARIFIED AS PER THE ORDER OF THIS
HON'BLE COURT in C.M.P(MD)Nos.16435 and
16436 of 2023 in C.M.S.A(MD)SR.No.85787 and
85788 of 2023 DATED 19/10/2024.**

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/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CM
TO
TO BE SUBSTITUTED WITH THE ORDER DATED 04/09/2024 ALREADY
DESPATCHED.
1 THE PRINCIPAL DISTRICT JUDGE,
THOOTHUKUDI.

2 THE SUBORDINATE JUDGE,
KOVILPATTI.

COPY TO:

1 THE SUB ASSISTANT REGISTRAR,
A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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

<https://www.mhc.tn.gov.in/judis>



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3 THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI PKM,
PERIYAKULAM.

ORDER IN
C.M.P(MD)Nos.16435 and 16436 of 2023
in
C.M.S.A(MD)SR.No.85787 and 85788 of 2023
Date :04/09/2024

SA/VR/SAR. /09.09.2024/4P/6C

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SS/SKN/SAR- /14/11/2024/ 4P/6C

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