



CMP(MD) No.17152 of 2023

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

Wednesday, the Thirteenth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN
and
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CMP(MD) No.17152 of 2023
in
CMA(MD) SR No.86607 of 2023

R.KANNAN

... Petitioner / Appellant

Vs

M.MADHIMALAR

... Respondent / Respondent

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 of 541 days in filing the Civil Miscellaneous Appeal against the order passed in H.M.O.P.No. 188 of 2018 dated 28.09.2021 on the file of the family court, Trichy.

Prayer in CMA(MD) SR No.86607 of 2023:

To set aside the fair order and decreetal order dated 28.09.2021 passed in H.M.O.P.No.188 of 2018 on the file of the Family Court, Tiruchirappalli as far as concern the maintenance order and allow the present civil miscellaneous appeal.



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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.M.R.SREENIVASAN, Advocate for the petitioner and of Mr.P.M.VISHNUVARTHANAN, Advocate on behalf of the Respondent, the Court made the following order:-

(Order of the Court was made by V.BHAVANI SUBBAROYAN,J)

This Petition is filed to condone the delay of 541 days in filing the Civil Miscellaneous Appeal.

2.Heard the learned counsel appearing for the Petitioner and the learned counsel appearing for the respondent.

3. For the reasons stated in the accompanying affidavit filed in support of this Petition and on being satisfied with the same, the delay of 541 days in filing the appeal is condoned and this petition is allowed on condition that the Petitioner shall pay a sum of Rs.500/- (Rupees Five Hundred only) towards costs to the Madras High Court Madurai Bench Advocate Clerk's Welfare Association, Madurai in Account No.496039124, High Court, Madurai Bench within a period of one week from the date of receipt of a copy of this order and on deposit of the same, the petition shall stand allowed, failing which, the Petition shall stand automatically dismissed without further reference to this Court.



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4. Registry is directed to number the appeal, if it is otherwise in order.

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sd/-
13/03/2024

/ TRUE COPY /

/03/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AM

To

The Judge,
Family Court, Trichy.

Copy to:

1.The Sub Assistant Registrar,
AE Section,
Madurai Bench of Madras High Court, Madurai.

2.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

3.The Officer Incharge,
Madras High Court Madurai Bench Advocate Clerks' Welfare Association,
Madurai.

ORDER
IN
CMP(MD) No.17152 of 2023
in
CMA(MD) SR No.86607 of 2023
Date :13/03/2024



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ED/ VR /SAR- (19/03/2024) 4P / 5C

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