



C.M.P.(MD)No.16694 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Thirtieth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice P. VADAMALAI

C.M.P.(MD)No.16694 of 2023

in

A.S.(MD)SR No.87292 of 2023

1 ALAMELU

2 DHANALAKSHMI

... Petitioners/ Appellants

Vs

1 SEKAR

2 KUMAR,

3 JAYANTHI

4 MINOR. MONISH

5 MINOR. YOGAPRIYA

(BOTH MINORS 4 AND 5 REPRESENTED
BY THEIR MOTHER AND NATURAL GUARDIAN
OF JAYANTHI - 3RD RESPONDENT)

... 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 of 192 days in preferring the first Appeal and thus render justice.



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PRAYER IN A.S.(MD)SR No.87292 of 2023

To set aside the Decree and Judgement dated 06.12.2022 in O.S.No.31/2018 on the file of the II Additional District Judge, Tiruchirapalli and allow this first appeal.

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.G.S.ASOKADHITHYAN, Advocate for the petitioner and of M/s.H.ARUMUGAM, Advocate on behalf of the R1 and R2 and No appearance for 3rd respondent the Court made the following order:-

This Civil Miscellaneous Petition has been filed to condone the delay of 192 days in preferring the Appeal Suit in A.S.(MD)SR No.87292 of 2023.

2. Heard the learned counsel for the petitioner appeared through Video Conference and the learned counsel for respondent Nos.1 & 2.

3. The name of the 3rd respondent has been printed in the cause list.

4. The learned counsel for respondent Nos.1 and 2 would submit that the petition may be allowed by imposing cost.

5. Being satisfied with the reasons stated in the affidavit filed in support of this petition, and considering the submission made by the learned counsel for respondent Nos.1 and 2, this Court is inclined to allow this petition on payment of cost. Accordingly, this petition is allowed on payment of cost of Rs.1000/- (Rupees One Thousand only) to respondent Nos.1 and 2 within a period of two weeks from today,



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failing which, this petition shall stand automatically dismissed without any further

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reference to this Court.

sd/-

30/10/2024

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/ 11 /2024

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

MKN

TO

The II Additional District Judge, Tiruchirapalli

ORDER

IN

C.M.P.(MD)No.16694 of 2023

in

A.S.(MD)SR No.87292 of 2023

Date :30/10/2024

PSP/ SKN /SAR /06.11.2024/ 3P/ 2C

Madurai Bench of Madras High Court is issuing certified
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