



CMP(MD) No.4804 of 2024

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

Thursday, the Twenty Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.4804 of 2024
in
SA(MD)SR.No.20801 of 2023

K.SIVA

... PETITIONER/ APPELLANT

Vs

1 ARUMUGAM

2 GANESH KUMAR

A.PITCHAIYA (DIED)

3 SUBBULAKSHMI

4 P.MANIKANDAN

5 P.ESAKKI PANDIAN

6 P.ESAKKIAMMAL

7 P.ANANTHI

... 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 345 days in re presenting the SA SR No.20801 of 2023.



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PRAYER in SA(MD)SR.No.20801 of 2023:

To allow this Second Appeal and call for the Judgment and Decree passed by Learned 1st Additional District Judge, Tirunelveli in A.S.No.9 of 2018 dated 30.08.2022 confirming the Judgment and Decree passed by the Learned Additional Subordinate Judge, Tirunelveli in O.S.No.214 of 2011 dated 21.08.2017 and set aside the same and consequently decree the suit as prayed for.

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.N.DILIP KUMAR, Advocate for the petitioner, the Court made the following order:-

This Petition is filed to condone the delay of 345 days in representing the Appeal before this Court.

2. Heard. Perused the materials available on record.

3. Considering the reasons stated in the affidavit filed in support of this petition, this Court is inclined to allow this petition on payment of cost.

4. This petition is allowed on condition that the petitioner shall pay the cost of Rs.500/- (Rupees Five Hundred Only) to the credit of **Women Advocates Association, Madurai Bench of Madras High Court (Account No:6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai)** for the purpose of



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maintaining Creche, within a period of Four weeks from the date of receipt of a copy
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of the order.

5. On such payment being made, Registry is directed to number the
appeal, if it is otherwise in order.

sd/-
28/03/2024

/ TRUE COPY /

/04/2024

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

KSA

TO

- 1 THE IST ADDITIONAL DISTRICT JUDGE, TIRUNELVELI.
- 2 THE ADDITIONAL SUBORDINATE JUDGE, TIRUNELVELI.

COPY TO:

- 1 THE OFFICER INCHARGE,
WOMEN ADVOCATES ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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

ORDER
IN
CMP(MD) No.4804 of 2024
in
SA(MD)SR.No.20801 of 2023
Date :28/03/2024

SS/VR/SAR- /04/04/2024/4P/6C

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