



CMP(MD) No.7053 of 2024

WEB COPY

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

Tuesday, the Twenty Sixth day of November Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

CMP(MD) No.7053 of 2024
IN
SA(MD) SR.No.21262 of 2014

M.SELVI

... PETITIONER/ APPELLANT

Vs

(*)1 R.PERUMAL (DIED)

2 J.BANUMATHY

3 PERIASAMY

4 KANTHAMMAL

5 M.KANNAN

... RESPONDENTS/RESPONDENTS

(*)6 SUNDARI,
7 AMARAVATHI,
8 DHANALAKSHMI,
9 ARUKKANI,

(*)(RESPONDENTS 6 TO 9 ARE BROUGHT ON
RECORD AS LRS OF THE DECEASED 1ST
RESPONDENT VIDE COURT ORDER DATED
05.04.2024 MADE IN CMP(MD)NOS.10290 & 10291 OF
2018 IN SA(MD)SR.21262 OF 2014 BY GIJ)



CMP(MD) No.7053 of 2024

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 241 days in filing the above appeal.

Prayer in SA(MD) SR.No.21262 of 2014 :

To allow the second appeal set aside the dated 16.04.2013 made in A.S.No.15 of 2012 passed by the Learned District Judge, Karur confirming the Judgment and Decree dated 04.01.2011 made in O.S.No.348 of 2010 passed by the learned Additional Subordinate Judge, Karur.

ORDER : This 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.SHANMUGASELVAM, Advocate for the petitioner and of MR.M.P.SENTHIL, Advocate on behalf of the Respondent Nos.6 to 9 and none appeared either in person or by an advocate on behalf of the 3rd Respondent, the court made the following order:-

This petition is filed to condone the delay of 241 days in filing the above appeal.

2.Since the 1st respondent died, his legal heirs are brought on record as the respondents 6 to 9 and notice sent to them was served. Mr.M.P.Senthil, learned counsel, who has entered appearance for them, submitted that the delay may be condoned subject to the conditions.

3.This Court has heard the learned counsel for the petitioner and perused the reasons assigned in the affidavit filed in support of this miscellaneous petition.

4.Since the reasons stated in the affidavit appear to be genuine and in the interest of justice, this petition is ordered and the delay is condoned subject to the payment of Rs.1,000/- (Rupees one thousand only) by the petitioner to the credit of

the District Siddha Medical Officer CCRI PKM, Account No.10767823177, IFSC Code :

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



CMP(MD) No.7053 of 2024

SBIN0000898, MICR CODE : 625002601, Branch: SBI Periyakulam, within a period of two weeks from the date of receipt of a copy of this order. In default, this miscellaneous petition shall stand dismissed automatically without any further reference to this Court.

5. On such payment, Registry is directed to number the appeal, if it is otherwise in order and list it for admission in the usual course.

sd/-
26/11/2024

/ TRUE COPY /

/12/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

yuva

TO

1 THE DISTRICT JUDGE, KARUR.

2 THE ADDITIONAL SUBORDINATE JUDGE, KARUR.

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.

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



WEB COPY



CMP(MD) No.7053 of 2024

ORDER
IN
CMP(MD) No.7053 of 2024
IN
SA(MD) SR.No.21262 of 2014
Date :26/11/2024

RS/GSV/SAR-(06.12.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023