



CMP(MD) NO. 5426 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15-07-2025

CORAM

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

CMP(MD) NO. 5426 of 2025

IN

AS(MD) SR NO. 85169 OF 2024

Vetri Velayuthaperuml

Vs

Petitioner(s)

1. Thirupananthal Kasi Thirumadam,
Rep by its sheer MuthuKumaraswamy Thambiran,
Thirupananthal Kasi Thirumadam,
thiruvidai Maruthoor,
Thiruvidai Maruthoor Taluk,
Tanjore District.

2. The Commissioner
Hindu, Religious and Charitable Endowment,
Nungampakkam,
Chennai.

3. The Joint Commissioner
Hindu Religious and Charitable Endowment,
Thiruvananthapuram Road,
Palayamkottai,
Tirunelveli District.

4. The Joint Commissioner
Hindu, Religious and Charitable Endowment,
Tanjore.

5. Neela

6. Jeyanthi

7. H.Karthikeyan



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8. Murugesan

9. Rajathi

10. Brucelin

11. Sujanaram

12. Mapri Devi

13. Rethinakaran

14. C.Subramonia Pillai

15. D.Joseph Isac Raja

Respondent(s)

For Petitioner(s):

Mr.S.Sureshkumar

Mr.G.Kandhavadivelan

For Respondent(s):

M/s.Kandhan Duraisami for R1

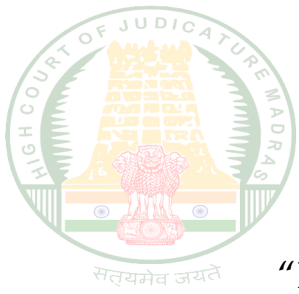
M/s.R.Murugan for R5 & R6

Mr.M.Muthumanikkam for R2 to R4

ORDER

This petition has been filed to condone the delay of 223 days in filing the above first appeal as against the decree and Judgment in O.S.No.81 of 2024 passed by the learned Principal District Judge, Kanniyakumari District at Nagercoil, dated 04.01.2024.

2.The plaintiff in the above said suit has filed this petition with the following reasons.



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“I respectfully submit that the certified order copy of the decree and judgment was granted to my trial Court counsel on 23.02.2024 in I.A.No.157 of 2024, and he assured to file Appeal before this Hon'ble Court and thereby he kept the case records; however, the same was not filed by his despite out several personal requests neither returned the bundle to us. Hence we applied in Party in Person, the certified copy of the Decree and Judgment on 20.09.2024 in A.No.8623/2024 and thereafter, we issued a letter dt; 10.10.2024 to out trial Court's Counsel not to proceed further and there after, we have taken steps to file the above appeal. Hence, there is a delay of 223 days in presenting the above appeal.”

3.The same was denied by the respondents 1, 5 & 6 by filing counter.

4.To substantiate his allegation the petitioner annexed the document dated 03.10.2024. In view of that earlier counsel has not taken any steps. He filed the present appeal after obtaining the papers from his earlier counsel, which is considered view of this Court is reasonable and proper. Hence, this Court accepts the reasons and is inclined to allow this petition on payment of costs.

5.Accordingly, this petition is allowed on payment of cost of Rs.2,000/- (Rupees Two Thousand only) to each of the contesting respondents namely the



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respondents 1, 5 & 6, (Totally Rs.6,000/-) within a period of two weeks from the date of receipt of a copy of this order. Failing which this petition shall stand dismissed automatically without any further reference to this Court.

sd/-
15/07/2025

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/07/2025

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

TM

TO

The Principal District Judge, Kanniyakumari District at Nagercoil

+1 CC to M/s.GOVERNMENT PLEADER (SR-7659[I] dated 16/07/2025)

ORDER IN
CMP(MD) No.5426 of 2025
Date :15/07/2025

PR/23.07.2025 4P/3C

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