



SA(MD) No.400 of 2021

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

Wednesday, the Seventeenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

SA(MD) No.400 of 2021

1 P.MANICKAM

2 K.RAJU

... Appellants / Appellants / Defendant 2 & 3

Vs

1 E.GEETHA

... 1st Respondent / 1st Respondent / Plaintiff

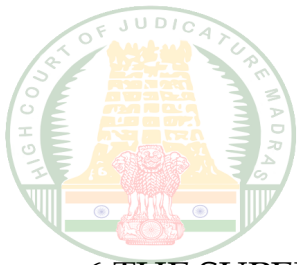
2 V.MEGHANATHAN

**3 THE EXECUTIVE ENGINEER,
HIGHWAY DEPARTMENT,
BUNGALOWMEDU,
THENI DISTRICT.**

**4 THE TAHSILDAR,
THENI TALUK
THENI DISTRICT.**

**5 THE DISTRICT COLLECTOR,
THENI DISTRICT,
THENI.**

**... Respondents 2 to 5 / Respondents 2 to 5 /
Defendants 1,4 to 6**



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6 THE SUPERINTENDING ENGINEER,
CONSTRUCTION AND MAINTENANCE,
STATE HIGHWAYS DEPARTMENT,
MADURAI.

7 THE DISTRICT REVENUE OFFICER,
THENI DISTRICT.

... Respondents 6 & 7

(Respondents 6 and 7 are suo motu impleaded vide common order of this Court dated 11.10.2023 made in WA (MD) No.859 to 8963 of 2013 & 1257 of 2015 and WP(MD) Nos.16695 of 2012, 10095, 11919, 14035, 16733, 16734, 16924 of 2013, 3791 and 5204 of 2014, 3076 and 22895 of 2019 and SA(MD) No.400 of 2021)

Second Appeal filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the judgment and decree passed in A.S.No.16 of 2017 dated 12.10.2018 on the file of the Additional District Court (FTC), Theni confirming the judgment and decree passed in O.S.No.109 of 2011 dated 07.03.2016 on the file of the Sub - Court, Theni.

ORDER : This second appeal 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.H.ARUMUGAM, Advocate for the appellants and of Mr.V.S.KISHOK KUMAR, Advocate on behalf of the Respondent No.2, the Court made the following order:-

For filing the appeal with a delay of 33 days, a cross appeal has been preferred by the respondent. To condone the delay in filing, C.M.P(MD)No.4776 of 2024 is filed.

2. Learned counsel for the respondent seeks time to file counter.



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3. Therefore, there shall be a direction to the petitioner to pay a sum of Rs.1000/- (Rupees Thousand only) to the respondents, on or before 30.04.2024.

4. Post on 09.06.2024, for hearing the Second Appeal and the Cross Appeal.

sd/-
17/04/2024

/ TRUE COPY /

/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

1.The Additional District (FTC),
Theni.

2.The Subordinate Judge,
Theni.

ORDER
IN
SA(MD) No.400 of 2021
Date :17/04/2024

ED/ JGB /SAR- (03/06/2024) 3P / 3C

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