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

Wednesday, the Nineteenth day of October Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CMP(MD) No.8458 of 2016

IN

CMA(MD) No.SR29684 of 2016

GOPAL

... PETITIONER/APPELLANT

Vs

1 S.KANNAN

2 M/S. THE NEW INDIA ASSURANCE CO.LTD.,
REP. BY ITS DIVL. MANAGER,
DIVL. OFFICE, REKHA TOWERS,
248-B, KAMARAJAR SALAI,MADURAI - 9.

...RESPONDENTS/RESPONDENTS
1 and 2

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 70 days in filing the CMA against the Judgment and Decree passed in MCOP.No.1071 of 2013 dated 15.12.2015 by the learned IV Additional Subordinate Judge, Madurai.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.THEETHAR, Advocate for the petitioner and of MR.J.S.MURALI, learned counsel takes notice for 2nd respondent and the Court made the following order:-

This petition has been filed to condone the delay of 70 days in filing the above appeal.

2.Based on the endorsement made by the learned counsel appearing for the petitioner, this petition is dismissed against first respondent. Mr.J.S.Murali, learned counsel takes notice for 2nd respondent.

3.Considering the reasons stated in the affidavit filed in support of this petition, this petition is allowed and the delay is condoned on payment of cost of Rs.500/- (Rupees five hundred only) to the Legal Services Authority attached to this Bench, on or before 24.10.2016, failing which this petition shall stand dismissed automatically without any further reference to this Court.

4.If the aforesaid condition is complied with within the time stipulated, and if the papers are in order, Registry is directed to number the appeal and post the same for admission.

sd/-

19/10/2016

/ TRUE COPY /



TO

1 THE IV ADDITIONAL SUB-JUDGE, MADURAI.

2 THE OFFICER INCHARGE, TAMIL NADU LEGAL AID SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER

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Date :19/10/2016

msm/em-mpa/Sar-3/21.10.16/p2/3c