



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

Friday, the Twenty Fourth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DURAI SWAMY

CMP(MD) No.1835 of 2017

IN

SA(MD) No.SR49459 of 2015

ANNADURAI CHETTIAR,

... PETITIONER/APPELLANT

Vs

SUBRAMANIAN

... RESPONDENT/RESPONDENT

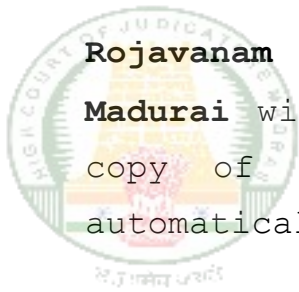
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 402 days in representing the S.A.S.R(MD) No.49459 of 2015 and thus render justice.

PRAYER IN SA(MD) No.SR49459 of 2015:Second Appeal against the Judgment and Decree dated:28.07.2015 made in A.S.No.1 of 2014 on the file of the Sub Court, Sivagangai confirming the judgment and decree dated:19.11.2013 made in O.S.No.9 of 2010 on the file of the District Munsif, Sivagangai.

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.R.VIJAYAKUMAR, Advocate for the petitioner the court made the following order:-

Heard the learned counsel for the petitioner.

2.There is a delay of 402 days in representing the papers. In paragraph No.4 of the affidavit filed in support of the petition, the petitioner has satisfactorily explained the reasons for the delay. Though the petitioner has satisfactorily explained the reasons for the delay, since the delay is on the higher side, I am of the view that in the interest of Justice, the delay can be condoned on payment of cost. Accordingly, the delay of 402 days in representing the papers is condoned on condition that the petitioner paying a sum of Rs.1,000/- (Rupees one thousand only) to the



Rojavanam Homeless & Aged Care Centre, Melur Road, Uthangudi, Madurai within a period of **one week** from the date of receipt of a copy of this order, failing which the petition shall stand automatically dismissed without further reference to this Court.

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3. Accordingly, the petition is ordered.

sd/-
24/02/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SUBORDINATE JUDGE, SIVAGANGAI

2 THE DISTRICT MUNSIF, SIVAGANGAI

Copy to: The Officer Incharges
Rojavanam Homeless & Aged Care Centre,
Melur Road, Uthangudi, Madurai

ORDER
IN
CMP (MD) No.1835 of 2017
IN
SA (MD) No.SR49459 of 2015
Date :24/02/2017

SM:MR:SAR I:01.03.2017:2p/4c