



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

Tuesday, the Twenty Eighth day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP(MD) No.1590 of 2018
IN
CMA(MD) No.SR45755 of 2017

1 K.BALASUNDARAM
2 K.SENTHILKUMAR
3 K.PONRAJ
4 K.ANANTHAKUMAR

... PETITIONERS/APPELLANTS

Vs

1 L.VADIVEL NADAR
2 TAMIL NADU GOVERNMENT,
REP.BY DISTRICT COLLECTOR, TUTICORIN,
COLLECTOR OFFICE, TUTICORIN.

... RESPONDENTS/RESPONDENTS

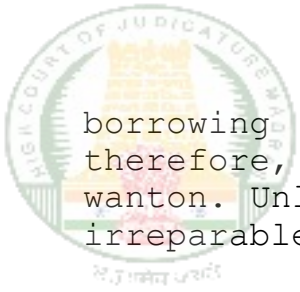
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 286 days in filing the above civil miscellaneous appeal against fair and decreetal order dated 19/10/2016 made in P.O.P.No. 158 of 2014 on the file of the Principal District Court, Tuticorin .

PRAYER IN CMA(MD) No.SR45755 of 2017 :

To allow this Memorandum of Civil Miscellaneous Appeal and thereby set aside Fair and Decreeal order dated 19.10.2016 in P.O.P.No.158 of 2014 made in the file of the Principal District Court, Tuticorin.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.B.RAJESH SARAVANAN, Advocate for the petitioner and of MR.T.ANTONY ARULRAJ, Advocate for R1 and MR.P.KANNITHEVAN, Additional Government Pleader for R2, the court made the following order:-

This petition has been filed to condone the delay of 286 days in filing the above Civil Miscellaneous Appeal.



borrowing money from other filed the present application and therefore, the delay has occurred. The delay is neither wilful nor wanton. Unless the delay is condoned, the petitioners will be put to irreparable loss and hardship and prayed for allowing this petition.

3. The learned counsel appearing for the first respondent submitted that the petitioners are working and earning and they have means to pay the court fee and for condoning the delay of 286 days, the petitioners have not given any valid and sufficient reason and prayed for dismissal.

2. Considering the contention of the learned counsel on either side, the delay is condoned on payment of Rs.500/- (Rupees five hundred only) to Rojavanam, Home for Old Aged, Melur Road, Uthangudi-Ulaganeri, Madurai -625 107 within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without further reference to this Court. On such payment, the Registry is directed to number the appeal, if the papers are otherwise in order and list the matter for admission.

sd/-
28/08/2018

/ TRUE COPY /

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

TO

THE PRINCIPAL DISTRICT COURT,
TUTICORIN.

COPY TO:

THE OFFICER INCHARGE,
ROJAVANAM,
HOME FOR OLD AGED, MELUR ROAD,
UTHANGUDI-ULAGANERI,
MADURAI -625 107.

ORDER
IN
CMP (MD) No.1590 of 2018
IN
CMA (MD) No.SR45755 of 2017
Date :28/08/2018