



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

Thursday, the Fifth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.11509 of 2017

IN

SA(MD) No.SR31771 of 2017

P.MATHIAZHAGAN

... PETITIONER/APPELLANT

Vs

T.M.M.T.N.U.DHANUSH RAJAVEL

... 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 200 days in filing the Second Appeal .

PRAYER IN SA(MD) No.SR31771 of 2017

To prefer this Memorandum of Second Appeal against the Judgment and Decree passed in A.s.No.11 OF 2015 dated 18.10.2016 on the file of the Subordinate Court, Virudhunagar, by confirming the Judgment and Decree passed in U.F.O.S. Of 2014 dated 19.01.2015 on the file of the District Munsif, virudhunagar.

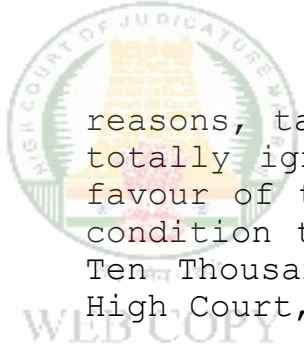
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.MAHALAKSHMI, Advocate for the petitioner and of MR.S.PARTHASARATHY, ADVOCATE on behalf of the Respondent, the court made the following order:-

This petition is filed to condone the delay of 200 days in filing the Second Appeal.

2.It is stated in the affidavit filed in support of this petition that the appeal in A.S.No.11 of 2015 was dismissed on 01.10.2016 and that after obtaining the copy of the judgment, the petitioner met his counsel for filing Second Appeal. It was then the petitioner states that he was informed to get the certified copy of the judgment and decree of the trial Court. It is stated by the petitioner that after obtaining the judgment and decree of the trial Court on 27.04.2017 the above appeal has been filed.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Though this Court is not fully convinced with the



reasons, taking into considering the fact that the reasons cannot be totally ignored this Court is inclined to show some indulgence in favour of the petitioner. As a result, this petition is allowed on condition that the petitioner shall pay a sum of Rs.1000/- (Rupees Ten Thousand) to the Legal Aid Services, Madurai Bench of Madras High Court, Madurai within 2 weeks.

3. Registry is directed to number the appeal, if the papers are otherwise in order, after showing proof for payment.

sd/-
05/04/2018

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE, VIRUDHUNAGAR

2 THE DISTRICT MUNSIF, VIRUDHUNAGAR

COPY TO : THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : THE OFFICER INCHARGE, LEGAL AID SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.11509 of 2017
IN
SA (MD) No.SR31771 of 2017
Date : 05/04/2018

PK/RR-CSL/SAR-2/10.04.2018 : 2P/5C