



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

Monday, the Second day of April Two Thousand Eighteen

PRESENT

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

CMP(MD) No.3219 of 2018

IN

SA(MD) No.SR 26346 of 2014

V.PITCHAI

... PETITIONER/APPELLANT

Vs

A.SAMIKANNU (DIED)

S.KAMALAM (DIED)

1 S.ANGURANI,

2 S.JAYAPAL

3 S.KUMAR

... RESPONDENTS/REPSONDENTS

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 497 days in representing the second appeal memo in S.A.SR.(MD) No.26346 of 2014 and thus render justice.

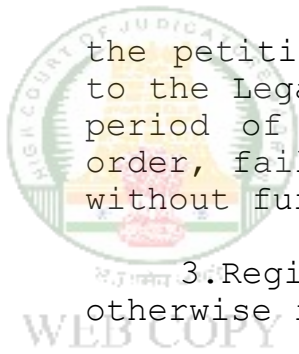
PRAYER IN SA(MD) No.SR 26346 of 2014 :

Memorandum of Second Appeal under Section 100 of the code of Civil Procedure, 1908, against the Judgment and Decree of the Principal Subordinate Judge, Tiruchirapalli, dated 15.03.2013, made in A.S.No.68 of 2011, dismissing the appeal filed by the appellant and confirming the Judgment and decree of the Principal District Munsif, Tiruchirapalli, dated 20.01.2011, made in O.S.No.1459 of 1991, dismissing the suit filed by the appellant with costs.

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. K.S.VAMSIDHAR, Advocate for the petitioner the court made the following order:-

This petition is filed to condone the delay of 497 days in representing the above appeal papers preferred against the judgment and decree of the Principal Subordinate Judge, Tiruchirapalli, dated 15.03.2013, made in A.S.No.68 of 2011, dismissing the appeal filed by the appellant and confirming the judgment and decree of the Principal District Munsif, Tiruchirapalli, dated 20.01.2011, made in O.S.No.1459 of 1991 dismissing the suit filed by the appellant with costs.

2.This Court is fully convinced with the reasons stated in the affidavit filed in support of this petition. Since the delay has been properly explained, this petition is allowed on condition that



the petitioner shall pay a sum of Rs.1,000/- (Rupees One Thousand) to the Legal Aid Service Authority, attached to this Bench, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed without further reference to Court.

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

sd/-  
02/04/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL SUBORDINATE JUDGE, TIRUCHIRAPPALLI
- 2 THE PRINCIPAL DISTRICT MUNSIF  
TIRUCHIRAPPALLI.

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

GJM/CM/VR/SAR-4-5.4.18-2P-4C

ORDER  
IN  
CMP (MD) No.3219 of 2018  
IN  
SA (MD) No.SR 26346 of 2014  
Date : 02/04/2018