



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

Thursday, the Eighteenth day of January Two Thousand Eighteen

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PRESENT

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

CMP(MD) No.361 & 362 of 2018

IN

AS(MD) No.SR30113 & SR30115 of 2016

CMP(MD) No.361 of 2018 :

NACHIAR AMMAL (DIED)
K.THIRUVENGADAM (DIED)

- 1.K.DAMODHARAN
- 2 KANAGARETHINAM
- 3 T.LAKSHMI
- 4 S.KRISHNAKUMARI

... PETITIONERS/APPEALLANTS

Vs

- 1 T.SOUNDARAJAN
- 2 T.NARAYANAN
- 3 D.PADMAVATHI
- 4 VALLIAMMAL

... RESPONDENTS/RESPONDENTS

Prayer in CMP(MD).364/2018 in AS(MD) SR30113/2016:

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 386 days in representing the above AS(MD). SR.No.30113 of 2016.

Prayer in AS(MD) SR30113/2016:

To set aside the Judgement and Decree passed in O.S.No.68 of 2005 dated 09.02.2015 on the file of the First Additional District Judge(P.C.R), Tiruchirapalli, by allowing the first Appeal.

CMP(MD) No.362 of 2018 :

NACHIAR AMMAL (DIED)

- <https://hcservicescourts.gov.in/hcservices/>
- 1 KANAGARETHINAM
 - 2 T.LAKSHMI



3 S.KRISHNAKUMARI

4 K.DAMODHARAN

... PETITIONERS/APPELLANTS

Vs

WEB COPY

- 1 T.SOUNDARAJAN
- 2 T.NARAYANAN
- 3 D.PADMAVATHI
- 4 VALLIAMMAL
- 5 JAYANTHI
- 6 R.SRIDEVI
- 7 SUBHASHINI
- 8 MANIMEKALAI
- 9 RAJA
- 10 G.THIRUVENGADAM
- 11 SARASWATHI
- 12 MALINI
- 13 SUTHA
- 14 G.PALANISAMY
- 15 S.PREMA
- 16 DHAVAMANI
- 17 RAJMOHAN
- 18 SETHURAMAN
- 19 NAGARETHINAM
- 20 KANDASAMY
- 21 VENKATACHALAM
- 22 SARAVANAN
- 23 AYYASAMY
- 24 SOTTAIKKAN
- 25 GANESAN
- 26 MOHANASELVAM
- 27 NACHIMUTHU
- 28 SHANMUGAM
- 29 CHENNIYAPPAN
- 30 MUTHUKRISHNAN
- 31 RAMESH
- 32 RAJENDRAN
- 33 MOORTHY
- 34 JOTHIVEL
- 35 PICHAIAMMAL
- 36 KRISHNAN
- 37 SAROJA
- 38 PREMA
- 39 KUPPURAJ
- 40 PAPAMMAL
- 41 CHINNAIYAN
- 42 RAMESH
- 43 THAVAMANI



44 LAKSHMI

45 KANDAN

46 KANNAN

(RESPONDENT 5 TO 46 STOOD EXPARTE
BEFORE THE TRIAL COURT)

... RESPONDENTS/RESPONDENTS

Prayer in CMP(MD).362/ 2018 in AS(MD) SR30115/2016:

To condone the delay of 386 days in representing the above AS(MD).SR.No.30115 of 2016.

Prayer in AS(MD) SR30115/2016:

To set aside the Judgement and Decree passed in O.S.No.67 of 2005 dated 09.02.2015 on the file of the First Additional District Judge(P.C.R), Tiruchirapalli, by allowing the first Appeal.

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.M.ASHOK KUMAR, Advocate for the petitioner in both the petitions, the court made the following order:-

These petitions are filed to condone the delay of 386 days in representing the Appeal Suits in A.S.(MD)Nos.SR30113 & SR30115 of 2016.

2. Heard the learned counsel appearing for the petitioners.

3. Though the delay of 386 days in representing the above Appeal papers has not been properly explained in the affidavit filed in support of this petition, the learned counsel for the petitioners has convinced this Court and satisfactorily explained the delay.

4. Having regard to the facts and circumstances of this case, this Court is inclined to accept the explanation offered by the learned counsel for the petitioners, for the delay in representation. Hence, the petitions are allowed subject to the condition that the petitioners pay a sum of Rs.1,000/- (Rupees One Thousand only) on each petitions (totally Rs.2,000/-) towards costs to the Legal Services Authority, Madurai Bench of Madras High Court, Madurai, within a period of three weeks from the date of receipt of a copy of this order.

sd/-

18/01/2018

/ TRUE COPY /



THE FIRST ADDITIONAL DISTRICT JUDGE (P.C.R),
TIRUCHIRAPALLI.

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

ORDER
IN
CMP (MD) No.361 & 362 of 2018
IN
AS (MD) No.SR30113 & SR30115 of 2016
Date :18/01/2018

PK/CM-VR/SAR-1/23.01.2018 : 4P/3C