



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

Thursday, the Fourth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice S.RAMATHILAGAM

CMP (MD) No.3181 of 2017

IN

AS (MD) No.3 of 2005

K. KANDASAMY

... PETITIONER/APPELLANT/PLAINTIFF

Vs

1 R. SHANKAR

2 S. SUBRAMANIYAN

3 R. KANDASAMY

4 K. NAGULSAMY

5 PARAMESWARI

6 DURAISAMY

8 SARAVANAN

9 KOKILA

10 THANGAVEL

... RESPONDENTS/RESPONDENTS/DEFENDANTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 2565 days in restoration of A.S.No.3 of 2005 in O.S.No.53/2004.

Prayer in AS (MD) . 3/ 2005 :

To prefer this memorandum of appeal suit before this Honourable Court against the Judgement and decree passed in O.S.No.53/2004 dated 27/04/2004 on the file of the Honourable District Court, Karur.

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.B.SARAVANAN, Advocate for the petitioner and of MR.D.NALLATHAMBI, Advocate for R1, R2, R4, R5, R7 & R10 the court made the following order:-

Heard the learned Counsel for the petitioners and the learned Counsel for the Respondents appearing on behalf of the respondents 1,2,4,5,7 and 10.

2.Even though the delay is on the higher side, to meet the ends of justice, the delay of 2565 days is condoned and this petition is ordered on condition that the petitioner shall deposit a sum of RS.1,500/- (Rupees Thousand Five hundred Only) to the Legal Aid Service Authority, attached to this Bench, within a period of three



days from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed without further reference to this Court.

sd/-
04/01/2018

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/ TRUE COPY /

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

TO

THE DISTRICT JUDGE,
KARUR.

Copy to
THE OFFICER-IN-CHARGE,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.3181 of 2017
IN
AS(MD) No.3 of 2005
Date :04/01/2018

MKV-PN-SAR 4/9.1.2018/2P-3C