



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

Friday, the Tenth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CMP (MD) No.7486 of 2017

IN

SA (MD) No.SR29677 of 2017

1 BHARATHI
2 DHANASEKARAN

... PETITIONERS/APPELLANTS

Vs

1 PRABHA
2 THE EXECUTIVE OFFICER
KOMBALAI TOWN, UTHAMAPALAYAM TALUK,
THENI DISTRICT.
3 THE VILLAGE ADMINISTRATIVE OFFICER,
KOMBALAI TOWN, UTHAMAPALAYAM TALUK,
THENI DISTRICT.
4 THE TAHSILDAR
UTHAMAPALAYAM TALUK, THENI DISTRICT.
5 THE REVENUE DIVISIONAL OFFICER
UTHAMAPALAYAM,
THENI DISTRICT.

... 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 806 days in filing the second appeal.

PRAYER IN SA (MD) No.SR29677 of 2017

To set aside the Judgment and decree in A.S.No.12 of 2014 and counter claim in A.S.No.12 of 2014 on the file of the Subordinate Judge, Uthamapalayam, dated 21.11.2014 confirming the decree and judgment in O.S.No.2014 of 2010 on the file of the District Munsif Court, Uthamapalayam dated 19.03.2014.

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.A.UTHAYAKUMAR, Advocate for the petitioner and of MR.GUNASEELAN MUTHIAH, Additional Government Pleader for R2 to



R5, and R1 not appeared either in person or by an Advocate, the court made the following order:-

On the side of the petitioner, it is stated that the Advocate , who entered for the petitioner before the lower Court, failed to apply for the certified copy in time and hence, there was a delay of 806 days in filing the Second Appeal.

2.No representation on the side of the first respondent. The learned Additional Government Pleader for the respondents 2 to 5 is present.

2.The reason stated in the affidavit filed in support of this petition, is not satisfactory, but an opportunity is to be given to the petitioner, to represent his case and hence, the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the contesting respondent on or before 23.08.2018. This petition is allowed and the delay of 806 days is condoned.

3.Call on 27.08.2018, "for reporting compliance".

sd/-
10/08/2018

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE, UTHAMAPALAYAM

2 THE DISTRICT MUNSIF, UTHAMAPALAYAM

ORDER
IN
CMP(MD) No.7486 of 2017
IN
SA(MD) No.SR29677 of 2017
Date :10/08/2018

PK/JC/SAR-4/23.08.2018 : 2P/3C