



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

Tuesday, the Seventh day of August Two Thousand Eighteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP(MD) No.4389 of 2018

IN

CMA(MD) No.953 of 2014

HAJI A.MOHAMED MUSTAFA

... PETITIONER/PETITIONER/RESPONDENT

Vs

M.NATARAJAN

... RESPONDENT/RESPONDENT/APPELLANT

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 194 days in representing the restoration petition filed by the petitioner and pass any other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in CMA(MD) . 953/ 2014 :

To set aside the judgment and decree of the Lower Appellate court dated 26.06.2014 made in A.S. No. 12/2014 on the file of the Additional Subordinate Judge, Tirunelveli in reversing the judgment and decree dated 24.10.2013 made in O.S. No. 364/2011 on the file of the II Additional District Munsif court, Tirunelveli and remanding the suit for fresh arguments and to allow the CMA.

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.BALASUBRAMANIAM, Advocate for the petitioner and of Mr.SIDDHARTHAN Advocate on behalf of the Respondent, the court made the following order:-

This petition has been filed to condone the delay of 194 days in representing the restoration petition filed by the petitioner.

2. Heard the learned counsel appearing on either side.

3. This petition is allowed and the delay is condoned on payment of cost of Rs.500/- (Rupees Five Hundred only) to Rojavanam, Home for Old Aged, Melur Road, Uthangudi, Ulaganeri, Madurai - 625 107, within a period of two weeks from the date of receipt of a copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court.



4. If the aforesaid condition is complied with within the time stipulated, and if the papers are in order, Registry is directed to number the same.

sd/-
07/08/2018

WEB COPY

/ TRUE COPY /

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

TO

1 THE ADDITIONAL SUBORDINATE JUDGE, TIRUNELVELI.

2 THE ADDITIONAL DISTRICT MUNSIF, TIRUNELVELI.

COPY TO:- The Officer Incharge,
Rojavanam, Home for Old Aged,
Melur Road, Uthangudi,
Ulaganeri, Madurai - 625 107

+1. C.C. to M/S.A.MOHAMED YUSUF Advocate SR.No.15207

ORDER
IN
CMP (MD) No.4389 of 2018
IN
CMA (MD) No.953 of 2014
Date : 07/08/2018

MV:RR:SAR2:20/08/18/2P/5C