



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

Thursday, the Fifth day of July Two Thousand Eighteen

PRESENT

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

CMP(MD) No.5604 of 2018

IN

SA(MD) No.SR49554 of 2016

ARUMUGAM (DIED)

1 MEENAKSHI AMMAL

2 PICHIAMMAL

3 SURYAKALA

4 RATHINAVEL

... PETITIONERS/APPELLANTS

Vs

ANDIAPPAN

... RESPONDENT/RESPONDENT

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 465 days in representing the SA.SR.No.49554 of 2016 on the file of this Honble High Court and thus render justice.

PRAYER IN SA(MD) No.SR49554 of 2016:

To prefer this Memorandum of Grounds of Second Appeal against the Judgment and Decree dated 06.01.2016 in A.S.No.49 of 2011 on the file of Sub Court, Kulithalai, reversing the judgment and decree and dated 30.09.2010 made in O.S.No.179 of 2004 on the file of District Munsif Court, Kulithalai.

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

This petition is filed to condone the delay of 465 days in re-presenting the above second appeal.

2.The petitioner narrated the events and facts convincingly to explain the delay. Though the delay has been properly and satisfactorily explained, this Court is inclined to allow this petition on terms.



3.As a result, this petition is allowed on condition that the petitioner shall pay a sum of Rs.2,000/- (Rupees two thousand) to the credit of Honourable Chief Justice Relief fund, Madurai Bench of Madras High Court, 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.

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

sd/-

05/07/2018

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE, KULITHALAI.

2 THE DISTRICT MUNSIF, KULITHALAI

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

ORDER

IN

CMP(MD) No.5604 of 2018

IN

SA(MD) No.SR49554 of 2016

Date :05/07/2018

PK/JC/GSR/18.07.2018 : 2P/4C