



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

Thursday, the Nineteenth day of July Two Thousand Eighteen

PRESENT

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

CMP(MD) No.6443 of 2018

IN

SA(MD) No.SR16372 of 2017

K.SUBRAMANIAN

... PETITIONER/APPELLANT

Vs

1 PITCHAI
2 SELVARAJ

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condoned delay of 430 days the representing the papers in S.A.SR.No.16372 of 2017 and pass such other suitable orders and thereby render justice.

PRAYER IN S.A.SR.No.16372 of 2017 :

To set aside the judgment and decree dated 11.04.2016 in A.S.No.91 of 2012 on the file of Principal District Judge, Tiruchirappalli, confirming the Judgment and decree dated 31.01.2006 in O.S.No.857 of 1997 on the First Additional District Munsif, Tiruchirappalli and allow this Second Appeal with costs throughout.

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.H.LAKSHMI SHANKAR, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 430 days in representing the above appeal papers.

2.Though the petitioner has stated some reasons in the affidavit filed in support of this petition, this Court find that the delay could have been avoided, if due diligence is shown. Having regard to the facts and circumstances of this case, this petition is allowed on condition that the petitioner shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) to the Legal Aid Service Authority, attached to this Bench, within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed without further reference to Court.



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

sd/-
19/07/2018

WEB COPY

/ TRUE COPY /

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

TO

1 THE FIRST ADDITIONAL DISTRICT MUNSIF, TIRUCHIRAPPALLI

2 THE PRINCIPAL DISTRICT JUDGE, TIRUCHIRAPPALLI

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

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

ORDER
IN
CMP (MD) No.6443 of 2018
IN
SA (MD) No.SR16372 of 2017
Date :19/07/2018

GJM/CSL/SAR-2/26.07.2018 : 2P/5C