



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

Thursday, the Second day of August Two Thousand Eighteen

WEB COPY

PRESENT

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

CMP(MD) No.6442 of 2018
IN
SA(MD) No.SR16371 of 2017

K.SUBRAMANIAN

... PETITIONER/APPELLANT

Vs

1 SELVARAJ
2 CHINNAPONNU
3 PITCHAI
4 ANGULAKSHMI
5 C.PARAMAN

... 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.16371 of 2017 and pass such other suitable orders and thereby render justice.

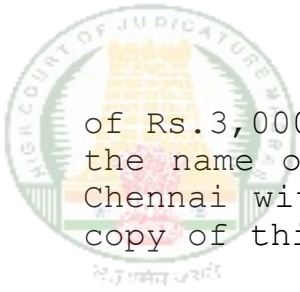
Prayer in SA(MD)NO.SR16371/ 2017 :

Pleased to call for the records and set aside the judgment and decree dated 11.04.2016 in A.S.NO.1 of 2014 on the file of Principal District judge, Tiruchirappalli, confirming the judgment and decree dated.31.01.2006 in O.S.NO.2534 of 1996 on the file of First Additional District Munsif, Tiruchirappalli.

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

This petition is filed to condone the delay of 430 in representing the papers in S.A.(MD)SR16371 of 2017.

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) in the account, opened in the name of Member Secretary, Tamil Nadu Legal Services Authority, Chennai within a period of two weeks from the date of receipt of a copy of this order.

3.The said amount shall be collected by the Registry, Madurai Bench of Madras High Court, Madurai, through the Accounts Section and then credited into the savings Bank Account No.6656485009, Indian Bank, Madras High Court Branch, High Court Buildings, Chennai - 104, [Branch Code - 1632, IFSC Code - IDBI 000M157], maintained by the Member Secretary, Tamil Nadu Legal Services Authority, Chennai.

4.It is needless to say that the said amount shall be used for the purposes mentioned in the order passed by this Court in **C.R.P. (NPD) No.1643 of 2010** dated 20.06.2018 (**D.Govindasamy Vs. L.Ganesh Naidu (deceased) and 2 others**), failing which, this petition shall automatically be dismissed without further reference to Court.

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

sd/-

02/08/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL DISTRICT JUDGE,
TIRUCHIRAPPALLI.
- 2 THE ADDITIONAL DISTRICT MUNSIF,
TIRUCHIRAPPALLI.

PS/JC/SAR-2:27/08/2018:2P/3C

ORDER

IN

CMP(MD) No.6442 of 2018

IN

SA(MD) No.SR16371 of 2017

Date :02/08/2018