



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

**The Hon`ble Mrs.Justice J.NISHA BANU**

**CMP(MD) No.1103 of 2019**

**IN**

**SA(MD) No.SR15988 of 2018**

KALYANI SUNDARI,

... PETITIONER/APELLANT

Vs

SUDHAGAR,

... 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 208 days in Representing the main Second Appeal in S.A.SR.No.15988 / 18 on the file of this Honourable Court by allowing this Civil Miscellaneous Petition and thus render justice.

**PRAYER IN SA(MD) No.SR15988 of 2018:-**

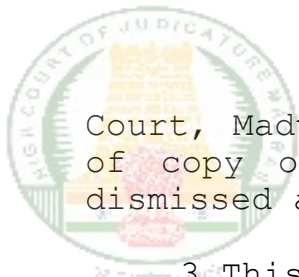
To set aside the judgment and decree dated 06.02.2018 passed in A.S.No.20 of 2016 on the file of the Principal Sub Court at Nagercoil, Kanyakumari District reversing the judgment and Decree dated 29.02.2016 passed in O.S.No.249 of 2012 (O.S.No.542 of 2010, Old number) on the file of the District Munsif Cum Judicial Magistrate Court, Bhoothapandi by allowing this Second Appeal.

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.D.NALLATHAMBI, Advocate for the petitioner, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 208 days in representing the above Second Appeal.

2.Considering the reasons stated in the affidavit filed in support of the petition and also considering the length of delay, this Court is inclined to condone the delay subject to the payment of cost of Rs.1,000/- (Rupees one thousand only) to the Babbles Day Care run by Women Lawyers Association, Madurai Bench of Madras High



Court, Madurai within a period of one week from the date of receipt of copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court.

3. This petition is accordingly ordered.

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4. In the event of payment of cost, the Registry is directed to number the second appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-  
07/02/2019

/ TRUE COPY /

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

TO

1. THE PRINCIPAL SUBORDINATE JUDGE,  
NAGERCOIL, KANYAKUMARI DISTRICT.

2. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
BHOOTHAPANDI.

COPY TO:-

1. THE OFFICER INCHARGE  
BABBLER DAY CARE RUN BY WOMEN LAWYERS  
ASSOCIATION, MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

2. THE SUB ASSISTANT REGISTRAR,  
AE SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CMP(MD) No.1103 of 2019  
IN  
SA(MD) No.SR15988 of 2018  
Date :07/02/2019

AE/VR/SAR-I/14.02.2019/2P/5C