



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

Monday, the Twenty Fifth day of February Two Thousand Nineteen

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PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.224 of 2019
IN
SA(MD) No.SR1012 of 2019

SHOBANA JACQUILINE

... PETITIONER/ APPELLANT

Vs

1 ROSELY SILUVAIMUTHU
2 D.S.JENARIS

... RESPONDENTS/ RESPONDENTS

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 335 days in filing this SA(MD)SR.No.1012 of 2019 and thus render justice.

PRAYER IN SA(MD) No.SR1012 of 2019:

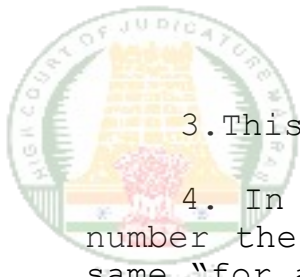
To allow the appeal by setting aside the judgment and decree passed in A.S.No.49 of 2016 on the file of the II Additional Sub Court, Nagercoil, dated 24.10.2017 confirming the judgment and decree in O.S.No.15 of 2012 on the file of the Principal District Munsif Court, Nagercoil, dated 26.10.2016.

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.N.GA.NATRAJ, Advocate for the petitioner and of Mr.S.LOUIS, Advocate on behalf of the Respondents, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 335 days in filing 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.1,500/- (Rupees one thousand and five hundred only) to the Legal Services Committee, attached to this Bench, 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.

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.

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sd/-
25/02/2019

/ TRUE COPY /

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

TO

1. THE II ADDITIONAL SUBORDINATE JUDGE,
NAGERCOIL.
2. THE PRINCIPAL DISTRICT MUNSIF,
NAGERCOIL.

COPY TO:

1. THE OFFICER INCHARGE,
LEGAL SERVICES COMMITTEE,
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.224 of 2019
IN
SA (MD) No.SR1012 of 2019
Date :25/02/2019

MS/VR/SAR-3/01.03.2019/2P.5C