



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

Friday, the Twelfth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.2857 of 2019

IN

SA(MD) No.SR41729 of 2018

PONNUMUTHU (DIED)

- 1 KAMALASANAN
- 2 SIVASUSBRAMANIAN
- 3 PONNU
- 4 VINCENT
- 5 RAJKUMAR
- 6 SELVARAJ
- 7 STEPHON
- 8 BENET
- 9 SUBA

... PETITIONER/ APPELLANTS

Vs

CHELLAN

... 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 93 days in re-presenting the papers in the above Second Appeal and thus render justice.

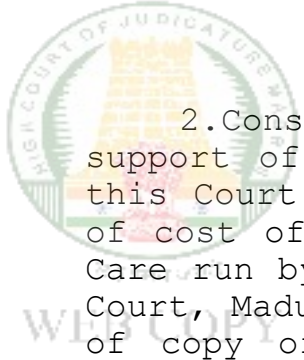
PRAYER IN SA(MD) No.SR41729 of 2018:

To prefer this Memorandum of Grounds of Second Appeal against judgment and decree dated 27.03.2018 and made in A.S.No.122 of 2006 & Cross appeal on the file of the Subordinate Judge, Kuzhithurai reversing the judgment and decree dated 11.09.2006 made in O.S.No.387 of 2001 on the file of the Second Additional Principal District Munsif, Kuzhithurai.

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.P.THAGARAJAN, Advocate for the petitioners and of Not appeared for the respondent either in person or through by an Advocate, the court made the following order:-

Heard.

This petition has been filed by the petitioners seeking to condone the delay of 93 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.500/- (Rupees five hundred 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.

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/-

12/04/2019

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE,
KUZHITHURAI.

2 THE II ADDITIONAL PRINCIPAL DISTRICT MUNSIF,
KUZHITHURAI.

COPY TO:

1 THE BABBLES 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.2857 of 2019

IN

SA(MD) No.SR41729 of 2018

Date :12/04/2019

JM/VR/SAR 1/24.04.2019/2P/5C