

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

Monday, the Twenty Fifth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.3001 of 2019
IN
SA(MD) No.SR40307 of 2018

BAGAVATHSINGH @ PALANISAMY ... PETITIONER/APELLANT

Vs

1 CHINNAYAGOUDER

2 SAVADAMMAL

3 ALAMMAL ... 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 140 days in representation of the above Second Appeal.

PRAYER IN SA(MD) No.SR40307 of 2018

To allow this Second Appeal and set aside the Judgment and Decree passed by the Sub-Court, Vendasandur, Dindigul in A.S.No. 2 of 2015 dated 16.09.2017 in modifying the decree and judgment of District Munsif Cum Judicial Magistrate Court, Vendasandur in O.S.No. 274 of 2012 dated 28.07.2015

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

Heard.

2.This petition has been filed by the petitioner seeking to condone the delay of 140 days in representing the above appeal.

3.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 Legal Aid

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.

4.This petition is accordingly ordered.

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

sd/-
25/03/2019

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE
VEDASANDUR, DINDIGUL

2 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDASANDUR

COPY TO:- 1. THE OFFICER IN-CHARGE,
LEGAL AID 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.3001 of 2019

IN

SA(MD) No.SR40307 of 2018

Date :25/03/2019

MSI/JC/SAR 3/27.03.2019/2P-5C