



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

Wednesday, the Twenty Fourth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.3820 of 2019

IN

SA(MD) No.SR18765 of 2018

SHANMUGAVALLI

REPRESENTED THROUGH HER POWER AGENT
MAHADEVI.

... PETITIONER/ APPELLANT

Vs

1 JANAKI

2 SUBBULAKSHMI

3 MOHANRAJ

4 POONGODI

5 VIGNESH

6 JEEVA (MINOR)

... 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 178 days in payment of deficit court fee of Rs.3875/- in SA.SR.No.18765 of 2018 and thus render justice.

PRAYER IN SA(MD) No.SR18765 of 2018

To prefer this Memorandum of Second Appeal against the judgment and decree dated 03.01.2018 passed in A.S.No. 6 of 2015 on the file of the Additional District Judge, Ramanathapuram reversing the Judgment and Decree dated 01.12.2014 passed in O.s.No. 30 of 2010 on the file of the Subordinate Judge, Ramanathapuram.

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.T.LAJAPATHI ROY, Advocate for the petitioner, the court made the following order:-

This petition has been filed by the petitioners seeking to condone the delay of 178 days in payment of deficit Court fee of Rs.3875/-.

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 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.

3. This petition is accordingly ordered.

4. 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/-
24/04/2019

/ TRUE COPY /

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

TO

1 THE ADDITIONAL DISTRICT JUDGE
RAMANATHAPURAM

2 THE SUBORDINATE JUDGE
RAMANATHAPURAM.

COPY TO:

1 THE OFFICER INCHARGE,
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.3820 of 2019
IN
SA (MD) No.SR18765 of 2018
Date :24/04/2019

MS/MMS/SAR-4/25.04.2019/2P.5C