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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.3901 of 2019
IN
SA(MD) No.SR9138 of 2018

M.SUBBIAH PILLAI ... PETITIONER/ APPELLANT

Vs

THEIVANAI ACHI
THROUGH HER POWER AGENT
THENAPPAN, ... 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 100 days in preparation of SA(MD)SR.No.9138 of 2018 and thus render justice.

PRAYER IN SA(MD) No.SR9138 of 2018:
To set aside the judgment and decree of the lower appellate court dated 11.04.2017 passed in A.S.No.43 of 2015 on the file of the Subordinate Judge, Devakottai, confirming the judgment and decree of the Trial Court dated 30.09.2015 passed in O.S.No.133 of 2010 on the file of the Additional District Munsif Court, Karaikudi.

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.G.KARNAN, Advocate for the petitioner and of M/S.P.KALAIYARASI BHARATHI, Advocate for M/S.UDHAYA LAW ASSOCIATES, for the respondent, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 100 days in preferring 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 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.

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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, DEVAKOTTAI.

2. THE ADDITIONAL DISTRICT MUNSIF,
KARAIKUDI.

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.3901 of 2019
IN
SA(MD) No.SR9138 of 2018
Date :12/04/2019

MS/PN/SAR-1/24.04.2019/2P.5C

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