



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

Friday, the Twelfth day of April Two Thousand Nineteen

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PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.3931 of 2019
IN
SA(MD) No.SR48612 of 2017

GLADYS BHAGAVATHI BAI

... PETITIONER/ APPELLANT

Vs

JEGADEESH (DIED)

1.WILSON

2 LATHA

THANKAYYAN (DIED)

3 JAYAKUMAR

4 ANITHAKUMAR

5 MINOR AFZAL

(REPRESENTED BY HIS MOTHER
THE 6TH RESPONDENT HEREIN)

6 KUTTIAMMAL @ SARASWATHI

7 PALAN @ VARADHARAJAN

8 SARATHA @ SARASWATHY DEVI

9 SIYAMALA @ KRISHNAKUMARI

10 JAYA @ KALAVATHI

11 RAJAN @ SREENIVARAJAN

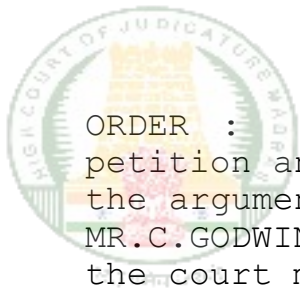
12 PAPPAN @ JOTHILAKSHMI

... 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 369 days in representing the SA(MD) SR.No.48612 of 2017 on the file of this Honourable Court and thus render justice.

PRAYER IN SA(MD) No.SR48612 of 2017:

To set aside the Judgment and Decree of the Lower Appellate Court dated 24.03.2017 passed in A.S.No.1 of 2009 on the file of the II Additional Subordinate Judge, Nagercoil (Camp court Judge at Kuzhithurai), confirming the Judgment and Decree of the Trial Court dated 08.11.2006 passed in O.S.No.495 of 2002 on the file of the II Additional District Munsif, Kuzhithurai, and allow the present



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.R.NANDAKUMAR, Advocate for the petitioner and of MR.C.GODWIN, Advocate (for Caveator) on behalf of the Respondents, the court made the following order:-

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Heard.

This petition has been filed by the petitioner seeking to condone the delay of 369 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.1,000/- (Rupees one thousand 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.

sd/-

12/04/2019

/ TRUE COPY /

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

TO

1 THE II ADDITIONAL SUBORDINATE JUDGE,
NAGERCOIL.
(CAMP COURT JUDGE AT KUZHITHURAI)

2 THE II ADDITIONAL DISTRICT MUNSIF,
KUZHITHURAI.

+1. C.C. to M/S.R.NANDAKUMAR Advocate SR.No.6925

COPY TO:

1 THE AUTHORISED OFFICER,
LEGAL AID SERVICES COMMITTEE,

<https://hcservices.ecourts.gov.in/hcservices/>
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



2 THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CMP (MD) No.3931 of 2019
IN
SA (MD) No.SR48612 of 2017
Date :12/04/2019

JM/VR/SAR 4/26.04.2019/3P/6C