



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

Wednesday, the Twelfth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.2100 of 2018

IN

SA(MD) No.SR44103 of 2014

JEGAN

... PETITIONER/APPELLANT

Vs

JOHNROSE

... 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 934 days in Representing the above case papers and render justice.

PRAYER IN SA(MD) No.SR44103 of 2014:-

To allow this Second Appeal to set aside the Judgment and Decree dated 30.09.2013 made in A.S.No.92 of 2010 on the file of Sub Court, Kuzhithurai, reversing the Judgment and Decree dataed 19.11.2008 made in O.S.No.269 of 2007 on the file of the Principal District Munsif Court, 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.N.S.RAMAKRISHNA DASS, Advocate for the petitioner and of MR.V.M.BALAMOHAN THAMBI, Advocate on behalf of the Respondent, the court made the following order:-

This petition is filed to condone the delay of 934 days in re-presenting the above appeal papers.

2.Though the petitioner has stated some reasons to condone the delay, this Court is able to see that the delay is inordinate. Having regard to the inordinate delay in re-presenting the papers, this Court is inclined to allow this petition on terms.

3.As a result, the delay of 934 days in re-presenting the above appeal papers is condoned and this petition is allowed on condition that the petitioner pay a sum of Rs.2,000/- to the respondent within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed



without further reference to Court.

4. Registry is directed to number the appeal, if the papers are otherwise in order, after showing proof for payment.

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sd/-
12/06/2019

/ TRUE COPY /

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

TO

1. THE PRINCIPAL DISTRICT MUNSIF,
KUZHITHURAI.
2. THE SUBORDINATE JUDGE, KUZHITHURAI.

COPY TO:-

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

ORDER
IN
CMP(MD) No.2100 of 2018
IN
SA(MD) No.SR44103 of 2014
Date :12/06/2019

cmr
AE/JC/SAR-IV (18.06.2019) 2P 4C