



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

Tuesday, the Sixteenth day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.4139 of 2019
IN
SA(MD) No.SR38071 of 2017

1 M.BOSE
2 B.PALANIVELRAJAN

... APPELLANTS/ APPELLANTS/

Vs

1 HINDU NADARGAL DEVASTHANAM,
VIRUDHUNAGAR THROUGH ITS SECRETARY,
AT NORTH CAR STREET, VIRUDHUNAGAR.

2 VIRUDHUNAGAR HINDU NADARGALUKKU PATHIAMANA
SENTHHILKUMARA NADAR,
UYARTHARA KALLURI PARIBALANA SABAI,
THROUGH ITS SECRETARY, VIRUDHUNAGAR. ... 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 505 days in re-presenting the S.A.(MD) SR.No.38071 of 2017.

PRAYER IN SA(MD) No.SR38071 of 2017:

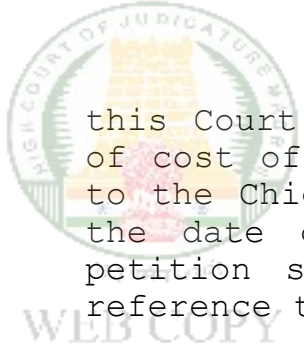
To set aside judgment and decree order 23.06.2017 in A.S.No.12 of 2016 passed by the Hon`ble Sub Court, Virudhunagar confirming the judgment and decree dated 09.02.2016 in O.S.No.130 of 2002 on the file of the District Munsif Court, Virudhunagar.

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

Heard.

This petition has been filed by the petitioners seeking to condone the delay of 505 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.2,500/- (Rupees two thousand and five hundred only) to the Chief Justice Relief Fund, 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/-
16/04/2019

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE, VIRUDHUNAGAR

2 THE DISTRICT MUNSIF, VIRUDHUNAGAR.

COPY TO:

1 THE SECTION OFFICER, (the Chief Justice Relief Fund)
ACCOUNTS SECTION,
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.4139 of 2019
IN
SA(MD) No.SR38071 of 2017
Date :16/04/2019

MS/MMS/SAR-2/24.04.2019/2P.5C