



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

Thursday, the Twenty Eighth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.429 of 2019

IN

SA(MD) No.SR20103 of 2017

G.ESTHER

... PETITIONER/APELLANT

Vs

1 R.LILLY

2 EDWIN

3 EDMUND

4 EDWIDA

5 THE STATE OF TAMIL NADU,
REP.BY THE DISTRICT COLLECTOR,
TIRUCHIRAPPALLI.

6 THE SUB-REGISTRAR,
SUB-REGISTRY,
LALGUDI,
TRICHY DISTRICT.

... 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 610 days in representation of SA(MD) SR.No.20103 of 2017.

PRAYER IN SA(MD) No.SR20103 of 2017

To set aside the decree and judgment dated 03.11.2016 made in A.S.No. 29/2015 on the file of the 1st Additional District Judge, Trichy, confirming the decree and judgment dated 30.06.2015 made in O.S.No. 56 of 2010 on the file of the 1st Additional Subordinate Judge, Trichy, by allowing the instant second appeal and consequently decreeing the suit.

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.RAGUVARAN GOPALAN, Advocate for the petitioner and MR.R.SUBRAMANIAN, Advocate for R1 to R4, and of MR.J.GUNASELLAN MUTHIAH, Additional Government Pleader for R5 and R6, the court made the following order:-



This petition has been filed by the petitioner seeking to condone the delay of 610 days in representing the above Second Appeal.

2. Heard the learned counsel appearing for the petitioner.

3. There is no representation on the side of the respondents.

4. 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.2,000/- (Rupees two thousand only) to the Babbles Day Care run by Women Lawyers Association, Madurai Bench of Madras High Court, Madurai, 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.

5. This petition is accordingly ordered.

6. 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/-

28/02/2019

/ TRUE COPY /

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

TO

1 THE 1ST ADDITIONAL DISTRICT JUDGE, TRICHY.

2 THE 1ST ADDITIONAL SUBORDINATE JUDGE, TRICHY.

COPY TO:-1. THE OFFICER IN-CHARGE,
THE BABBLES DAY CARE RUN BY
WOMEN LAWYERS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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

+1. C.C. to SPECIAL GOVERNMENT PLEADER, SR.No.51315
ORDER IN
CMP(MD) No.429 of 2019
IN
SA(MD) No.SR20103 of 2017
Date :28/02/2019