



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

Thursday, the Twenty Fifth day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.4328 of 2019

IN

SA(MD) No.SR4764 of 2018

1 ALAGU LAKSHMI
2 ALAGAMMAL
3 AMARAVATHI

... PETITIONERS/ APPELLANTS

Vs

1 THIMMAIAH GOUNDER
2 POOCHAMMAL @ LAKSHMI
SENTHIL KUMAR(DIED)
3 SEKAR
4 AYIRARAMU

... 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 434 days in representing the above second appeal in S.A.SR.No.4764 of 2018.

PRAYER IN SA(MD) No.SR4764 of 2018:

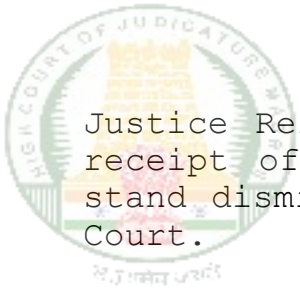
To set aside the judgment and decree dated 29.08.2017 passed in A.S.No.52 of 2012 on the file of Sub-Court, Tuticorin reversing the judgment and decree dated 20.12.2011 passed in O.S.No.499 of 2008 on the file of Additional District Munsif Court, Tuticorin.

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.M.P.SENTHIL, 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 434 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.2,000/- (Rupees two thousand 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/-
25/04/2019

/ TRUE COPY /

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

TO

- 1 THE SUBORDINATE JUDGE,
TUTICORIN.
- 2 THE ADDITIONAL DISTRICT MUNSIF,
TUTICORIN.

COPY TO:

- 1 THE SECTION OFFICER,
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.4328 of 2019
IN
SA(MD) No.SR4764 of 2018
Date :25/04/2019

JM/VR/SAR 2/29.04.2019/2P/5C