

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

Tuesday, the Thirtieth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.4544 of 2019
IN
SA(MD) No.SR28286 of 2018

SUNDARAM NAIDU (DIED)
RUKKUMANI (DIED)

1 DEENADAYALAN
2 VEERASAMY
3 JEYALAKSHMI
4 VASANTHA
5 RADHA
6 SANTHI
7 SAKUNTHALA

... PETITIONERS/ APPELLANTS

Vs

1 RAVICHANDRAN

2 STATE OF TAMIL NADU
REP.BY ITS DISTRICT COLLECTOR,
TRICHIRAPPALLI DISTRICT.

3 THE TAHSILDAR,
TALUK OFFICE, THURAIYUR TALUK,
TRICHIRAPPALLI 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 270 days in representing the above SA(MD) SR.No.28286 of 2018 and thus render justice.

PRAYER IN SA(MD) No.SR28286 of 2018:

To call for the records relating to the Judgment and Decree passed in A.S.No.30 of 2016 on the file of the Sub Court, Thuraiyur dated 19.03.2018, partly allowing the Judgment and Decree passed in O.S.No.38 of 2007 on the file of the District Munsif Court, Thuraiyur, dated 11.11.2013 and set aside the same by allowing this Second Appeal.

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.D.SRINIVASARAGAVAN, Advocate for the petitioner, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 270 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 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/-
30/04/2019

/ TRUE COPY /

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

TO

- 1 THE SUBORDINATE JUDGE,
THURAIYUR.
- 2 THE DISTRICT MUNSIF,
THURAIYUR.

+1 CC to M/s.D.SRINIVASA RAGAVAN, Advocate SR-8028

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.4544 of 2019
IN
SA (MD) No.SR28286 of 2018
Date :30/04/2019