

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.4570 of 2019
IN
SA(MD) No.SR20196 of 2018

S.PUSHBALATHA

... PETITIONER/ APPELLANT

Vs

1 M.A.IQBAL

2 THE COMMISSIONER,
MANDAPAM PANCHAYAT UNION OFFICE,
UCHIPPULI, RAMANATHAPURAM DISTRICT.

3 THE PLANNING DIRECTOR,
KALAIAGNAR HOUSE BUILDING SCHEME,
OFFICE OF THE DISTRICT COLLECTOR,
RAMANATHAPURAM.

4 THE GOVERNMENT OF TAMIL NADU,
THROUGH DISTRICT REPRESENTATIVE,
THE DISTRICT COLLECTOR,
RAMANATHAPURAM.

... 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 311 days in representation the SA.SR(MD) No.20196/2018 and thus render justice.

PRAYER IN SA(MD) No.SR20196 of 2018:

To allow this second appeal by setting aside the judgment and decree passed by the Principal District Court, Ramanathapuram dated 08.12.2017 in A.S.No.12 of 2015 confirming the judgment and decree passed in O.S.No.1 of 2011 of the Sub Ordinate Court, Ramanathapuram dated 11.03.2015 in so far as it has granted decree regarding the title to the site of the schedule property and preventive injunction and confirmed the same respectively by the Trial Court and 1st Appellant court alone is concerned and thus render justice.

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.P.SENTHURPANDIAN, 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 311 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.1,500/- (Rupees one thousand five hundred only) to the Legal Services Committee, attached to this Bench 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 PRINCIPAL DISTRICT JUDGE,
RAMANATHAPURAM

2 THE SUBORDINATE JUDGE, RAMANATHAPURAM.

COPY TO:

1 THE OFFICER INCHARGE,
LEGAL AID SERVICE AUTHORITY,
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.4570 of 2019
IN
SA(MD) No.SR20196 of 2018
Date :30/04/2019