

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

Thursday, the Twenty Seventh day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP (MD) No.5284 of 2019

IN

SA (MD) No.SR658 of 2016

SELVAM, ... PETITIONER/APPELLANT

Vs

SEETHAIAMMAL (DIED),

1. MINOR.ABINAYA,

2 MINOR AGILAN

3 NARASINGAM,

4 R.MANOCHARAN, ... RESPONDENTS/RESPONDENTS

(MINOR RESPONDENTS 1&2 THROUGH THEIR FATHER AND
NATURAL GUARDIAN 3RD RESPONDENT)

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 1189 days in representing the above Second Appeal in SA.SR.(MD) No.658 of 2016 on the file of this Honourable Court and thus render justice.

PRAYER IN SA (MD) No.SR658 of 2016:-

To set aside the Judgment and decree passed by the Ist Additional District Court, Madurai, dated 23.03.2011 made in A.S.No.15 of 2006 confirming the judgment and decree of the Ist Additional Sub-Judge, Madurai passed in O.S.No.286 of 2003 dated 07.12.2005.

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.SADIQ RAJA, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 1189 days in representing the above appeal papers.

2.In the affidavit filed in support of this petition, the petitioner has given sufficient reasons for the delay in representing the above appeal papers. Though this Court is convinced with the reasons stated in the affidavit filed in support of this petition, the delay is inordinate. Hence, this Court is inclined to allow this petition on terms. Accordingly, the petition is allowed and the delay is condoned on condition that the pay a sum of Rs.1,000/- to the Legal Aid Service Authority, attached to this Bench, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically, without any further reference to this Court.

3.Registry is directed to number the appeal, if the papers are otherwise in order and upon showing the proof for payment.

sd/-
27/06/2019

/ TRUE COPY /

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

TO

1.THE ADDITIONAL DISTRICT JUDGE, MADURAI.

2.THE IST ADDITIONAL SUBORDINATE JUDGE, MADURAI.

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.

+1 CC to MR.D.SADIQ RAJA, Advocate (SR-10724[I] dated 28/06/2019)

ORDER
IN
CMP(MD) No.5284 of 2019
IN
SA(MD) No.SR658 of 2016
Date :27/06/2019