

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

Wednesday, the Third day of July Two Thousand Nineteen

PRESENT

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

CMP(MD) No.5444 of 2019

IN

SA(MD) No.SR48423 of 2017

V.SHANMUGHAM

... PETITIONER/APPELLANT

Vs

S.THANGARAJ

... RESPONDENT/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 484 days in representing the above Second Appeal in SA.SR.(MD)No.48423 of 2017 before this Honourable Court and thus render justice.

PRAYER in SA.SR.(MD)No.48423 of 2017:

To prefer this Memorandum of Grounds of Second Appeal against the judgment and decree dated 18.03.2008 passed in A.S.No.37 of 2006 on the file of the II Additional Sub Judge, Trichy confirming the judgment and decree dated 15.04.2005 passed in O.S.No.2264 of 1994 on the file of the I Additional District Munsif, Trichy.

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.T.LENIN KUMAR, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 484 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. However, this Court is of the view that the delay could have been avoided, if the petitioner had shown diligence. Hence, this Court is inclined to allow this petition on terms.

3.Accordingly, this petition is allowed and the delay is condoned on condition that the petitioner pay a sum of Rs.1,000/- to the Bubbles Day Care, being run by the Women Lawyers Association, Madurai Bench of Madras High Court, Madurai, within a

period of two weeks from the date of receipt of a copy of this order.

4.Registry is directed to number the appeal, if the papers are otherwise in order, after showing proof for payment.

sd/-
03/07/2019

/ TRUE COPY /

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

TO

1.THE II ADDITIONAL SUBORDINATE JUDGE,
TRICHY

2.THE I ADDITIONAL DISTRICT MUNSIF,
TRICHY.

COPY TO : THE OFFICER INCHARGE,
BUBBLES DAY CARE, WOMEN LAWYERS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO : THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.5444 of 2019
IN
SA (MD) No.SR48423 of 2017
Date :03/07/2019

CMR
PK/JC/SAR-1/10.07.2019 : 2P/5C

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