



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

Thursday, the Fourth day of July Two Thousand Nineteen

PRESENT

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

CMP(MD) No.5908 of 2019
IN
SA(MD) No.SR45943 of 2017

NAGARATHINAMMAL

... PETITIONER/APPELLANT

Vs

1.R.BANUMATHI
2.R.ALAGAMMAL

... 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 476 days for representing case in SA(MD) SR.No.45493 of 2017 on the file of Madurai Bench of Madras High Court, Madurai.

PRAYER IN SA(MD) No.SR45943 of 2017:

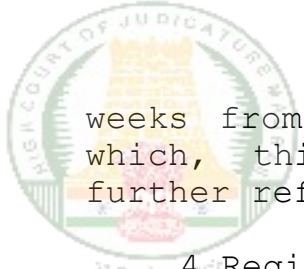
To prefer this Memorandum of Second Appeal against the decree and judgment of the Subordinate Judge, Ramanathapuram, Ramanathapuram District in A.S.No.43/2013 dated 22.06.2017 by confirming the decree and judgment of the District Munsif Court, Ramanathapuram in O.S.No.39/2011 dated 04.04.2013.

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

This petition is filed to condone the delay of 476 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 matter is prosecuted diligently. 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.2,000/- 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, failing which, this petition shall automatically be dismissed without further reference to Court.

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

sd/-
04/07/2019

/ TRUE COPY /

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

TO

1. THE SUBORDINATE JUDGE,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.

2. THE DISTRICT MUNSIF, RAMANATHAPURAM.

COPY TO:

1. THE OFFICER INCHARGE, BUBBLES DAY CARE,
WOMEN LAWYERS ASSOCIATION,
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.5908 of 2019
IN
SA (MD) No.SR45943 of 2017
Date : 04/07/2019

cmr
TK/PN/SAR.1/10.07.2019/2P/5C