



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

Monday, the Fourth day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.30 of 2018
IN
SA(MD) No.SR17082 of 2016

BALUCHAMY THEVAR (DIED)
ANGAMMAL (DIED)
KARUPPIAH (DIED)
NALLATHAMBI (DIED)

1 RAJANGAM
2 CHELLAMMAL
3 SIVAKUMAR
4 VASANTHI
5 JEYANTHI
6 PONNUTHAYEE

... PETITIONERS/APPELLANTS

(CAUSE TITLE ACCEPTED VIDE COURT ORDER DATED
11.12.2017 MADE IN CMP(MD) NO.11250 OF 2017
IN SA(MD) NO.SR17082 OF 2016 BY SBJ)

Vs

1 GOVERNMENT OF TAMIL NADU
THROUGH ITS DISTRICT COLLECTOR,
DINDIGL DISTRICT, DINDIGUL.

2 THE TAHSILDAR,
DINDIGUL TALUK, DINDIGUL.

3 S.A.ARULDOSS
4 GEORGE ROBERT
5 VELANKANNI
6 CHINNAPPAN
7 ARULAPPAN (DIED)
8 ANTHONY
9 SOLOMONRAJ
10 SOOSAIRAJ

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and
in the affidavit filed therewith the High Court will be pleased to
Condone to delay of 113 day in filing the above Second Appeal in
S.A. (SR) NO.17082 of 2016 and thus render justice.

PRAYER IN SA(MD) No.SR17082 of 2016:

To set aside Judgment and decree made in A.S.No.67 of 2005 dated 09.09.2015 on the file of the Additional Subordinate Judge, Dindigul confirming the Judgment and Decree made in O.S.No.558 of 1985 dated 19.01.1996 on the file of the Additional District Munsif, Dindigul by allowing the 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.J.LAWRANCE, Advocate for the petitioner and of MR.J.GUNASEELAN MUTHIAH, Special Government Pleader for R1 & R2 and No appearance for R3 to R10 either in person or through by an advocate, the court made the following order:-

Heard.

This petition has been filed by the petitioners seeking to condone the delay of 113 days in filing 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.500/- (Rupees 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/-

04/03/2019

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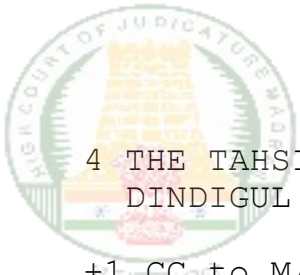
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL SUBORDINATE JUDGE, DINDIGUL.

2 THE ADDITIONAL DISTRICT MUNSIF, DINDIGUL

3 THE DISTRICT COLLECTOR,
GOVERNMENT OF TAMIL NADU
DINDIGUL DISTRICT, DINDIGUL.



4 THE TAHSILDAR,
DINDIGUL TALUK, DINDIGUL.

+1 CC to M/s.J.LAWRENCE, Advocate (SR-4247[I] dated 05/03/2019)

COPY TO:

1 THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE AUTHORISED OFFICER,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP(MD) No.30 of 2018
IN
SA(MD) No.SR17082 of 2016
Date :04/03/2019

JM/JC/SAR 1/12.03.2019/3P/8C