



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

Wednesday, the Sixth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.869 of 2019

IN

SA(MD) No.SR14716 of 2018

1 BENEDICT
2 J.FRANCIS XAVIER
3 J.AMALADASAN

... PETITIONERS/APPELLANTS

Vs

1 T.AMALA @ ARULAMMA
2 J.SELVARAJ
3 J.LISY BRIGHT
4 J.LISY BENET

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to to condone the delay of 206 days in paying the deficit Court fee of Rs.4500/- in S.A(MD) SR.No.14716 of 2018.

PRAYER IN S.A(MD) SR.No.14716 of 2018:

To allow the appeal by setting aside the judgment and Decree passed in A.S.No. 23 of 2015 on the file of the 1st Additional Sub Court, Nagercoil, dated 28.11.2017 confirming the judgment and decree in O.S.No. 222 of 2008 on the file of the 1st Additional District Munsif Court, Nagercoil, dated 30.07.2014 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.N.GA.NATRAJ, Advocate for the petitioner and of MR.R.MURUGAN, on behalf of the Respondents, the court made the following order:-

Heard.

2.This petition has been filed by the petitioners seeking to condone the delay of 206 days in paying the deficit Court fee.

3.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.1,000/- (Rupees one thousand 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.

WEB COPY

4. This petition is accordingly ordered.

5. In the event of payment of cost, the Registry is directed to number the appeal if it is otherwise in order and list the same "for admission" forthwith.

sd/-

06/02/2019

/ TRUE COPY /

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

TO

1 THE 1ST ADDITIONAL SUBORDINATE JUDGE,
NAGERCOIL

2 THE 1ST ADDITIONAL DISTRICT MUNSIF,
NAGERCOIL

COPY TO:- 1. THE OFFICER IN-CHARGE,
THE LEGAL SERVICES COMMITTEE,
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.869 of 2019

IN

SA(MD) No.SR14716 of 2018

Date :06/02/2019

MSI/JC/SAR-II/12.02.2019-2P/5C