



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

Wednesday, the Sixth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.732 of 2018

IN

SA(MD) No.SR21237 of 2017

CHELLESWARI

... PETITIONER/APELLANT

Vs

1.VIJAYALAKSHMI

2 SELVAKUMAR,

3 KALAVANI

... 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 724 days in filing the Second Appeal and thus render justice.

PRAYER IN SA(MD) No.SR21237 of 2017:-

To prefer the memorandum of Grounds of Second Appeal against the judgment and decree passed in A.S.No.35 of 2011 on the file of the Principal District Court, Madurai dated 20.03.2011 modifying the judgment and decree dated 07.04.2010 in O.S.No.289 of 2006 on the file of the III Additional Sub-Court, Madurai.

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.C.S.THILLAINAYAGAM, Advocate for the petitioner and of Mr.A.ARUMUGAM, Advocate for R2 & R3 and the first respondent not appeared either in person or by advocate, the court made the following order:-

This petition is to condone the delay of 724 days in filing the second appeal.

2.Mr.T.C.S.Thillainayagam, learned counsel for the petitioner and Mr.A.Arumugam, learned counsel for R2 & R3 present. No appearance for R1. Counsel for R2 & R3 did not seriously object to allow this petition.

3. Delay of 724 days shall stand condoned subject to payment of cost of Rs.2,000/- (Rupees Two Thousand only) by the petitioner to the Legal Services Authority, on or before 13.03.2019, failing



which, this petition shall stand dismissed automatically without further reference to this Court.

sd/-
06/03/2019

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/ TRUE COPY /

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

TO

1.THE PRINCIPAL DISTRICT JUDGE,
MADURAI.

2.THE III ADDITIONAL SUBORDINATE JUDGE,
MADURAI.

COPY TO:

THE OFFICER INCHARGE
LEGAL SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to MR.C.VAKEESWARAN, Advocate SR.No.4533

ORDER
IN
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IN
SA (MD) No.SR21237 of 2017
Date :06/03/2019

AE/JC/SAR-II/1.03.2019/2P/5C