



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

Friday, the Eighth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.4290 of 2017
IN
SA(MD) No.SR4348 of 2016

NARAYANAN

... PETITIONER/APPELLANT

Vs

1 THE IDOL OF ARULMIGHU
DEEBANGI AMMAN, REP. BY ITS POOJARI CUM TRUSTEE,
D.GOVINDASAMY SEMAR,
2 KALIYAMOORTHY

... 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 433 days in representing SA(MD)SR 4348 of 2016.

PRAYER IN SA(MD) No.SR4348 of 2016

set aside judgement and decree dated 13.07.2015 made in AS 190 of 2011 on file of the II Additional Subordinate judge, Trichy reversing the judgement and decree dated 31.03.2011 in OS 237 of 2006 on file of the Additional District Munsif, Lalgudi and consequently dismiss the suit and pass such other or further orders.

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.K.PRABHAKAR, Advocate for the petitioner and of Mr.J.MARIA ROSELIN, Advocate for R1, the court made the following order:-

Heard.

2.This petition has been filed by the petitioners seeking to condone the delay of 433 days in representing the above second appeal.

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.1,500/-. (Rupees one thousand and five hundred only) to the Babbles Day Care, run by the Women Lawyers Association, Madurai



Bench of Madras High Court, Madurai, 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.

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/-

08/02/2019

/ 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 ADDITIONAL DISTRICT MUNSIF,
LALGUDI.

COPY TO

1. THE OFFICER INCHARGE,
BABBLER DAY CARE,
RUN BY THE 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.4290 of 2017

IN

SA (MD) No. SR4348 of 2016

Date : 08/02/2019

TK/JC/SAR-3/22.02.2019/2P/5C