



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

Tuesday, the Second day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.11950 of 2018

IN

CMA(MD) No.SR42333 of 2018

K.ALAGAPPAN

... PETITIONER/APPELLANT

Vs

1 V.HEMALATHA

2 VENKATESHKUMAR

(2ND RESPONDENT IS REPRESENTED BY 1ST RESPONDENT,
WHO IS HIS NEXT FRIEND AND WIFE)

3 RENGANAYAKI

... 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 464 days in filing this appeal against Fair and Decreetal Order dated 28.03.2017 in M.H.O.P.No.311 of 2016 passed by the Learned Principal District Court, Tuticorin and to pass such further or other order as this Honble Court may deem fit and proper in the circumstances of the case 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.B.RAJESH SARAVANAN, Advocate for the petitioner and of the respondent not appeared either in person or by an advocate on behalf of the Respondents 1 & 2, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 464 days in filing the above Civil Miscellaneous Appeal.

2.The learned counsel for the respondents is not present today.

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.500/- (Rupees five hundred only) to the Legal Aid



Service Authority, 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.

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/-
02/07/2019

/ TRUE COPY /

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

TO

THE PRINCIPAL DISTRICT JUDGE,
THOOTHUKUDI.

COPY TO:-

- 1 THE OFFICER INCHARGE
LEGAL AID SERVICE AUTHORITY,
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.11950 of 2018
IN
CMA(MD) No.SR42333 of 2018
Date :02/07/2019

msa
AE/JC/SAR-II (09.07.2019) 2P 4C