



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2019

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.P. (MD) No.532 of 2019

in

CMA(MD).No.SR1307 of 2019

WEB COPY

R.S.S.Rajasekaran

: Petitioner/Appellant

Vs.

- 1.The Competent Authority /
District Revenue Officer
Theni District, Theni.
 - 2.Sri Renuga Auto Finance
Represented by I.Chandrasekaran
 - 3.S.Saravanan
 - 4.I.Chandrasekaran
 - 5.B.Saraswathi
 - 6.R.Rajkumar
 - 7.S.Thilaga
 - 8.V.Bharathi
 - 9.P.Seenivasan
 - 10.P.Alaguvaralakshmi
U.Vellaisamy (Died), S/O.Udaiyar
 - 11.C.Saraswathi
 - 12.Bala@Balasundaram
 - 13.Rajeshwari
 - 14.N.K.Rajagopal
- (Respondents 2 to 14 are given up)

:Respondents/Respondents

PRAYER in C.M.P(MD).No.532 of 2019: The Civil Miscellaneous Petition has been filed under Section 5 of Limitation Act, to condone the delay of 1133 days in preferring the above Civil Miscellaneous Appeal against the fair and decreetal order dated 20.11.95 passed in O.A.No.12 of 2011 on the file of the Special Court under the Tamil Nadu Protection of Interest of Depositors (in financial establishment) Act, 1997, Madurai.

PRAYER in C.M.A. (MD).SR.No.1307 of 2019: The Civil Miscellaneous Appeal has been filed under Section 11 of the Tamil Nadu Protection of Depositors (in Financial Establishments Act) 1997, against the fair and decreetal order dated 20.10.2015 passed in O.A.No.12 of 2011 on the file of the Special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, Madurai.



For Petitioner

:Mr.S.Pon Senthil Kumaran

For Respondent No.1

:Mr.J.Gunaseelan Muthiah
Additional Government Pleader

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O R D E R

This petition has been filed by the petitioner seeking to condone the delay of 1133 days in filing the civil miscellaneous appeal.

2.The learned counsel for the petitioner would state that due to his advanced age and paucity of fund, he could not prefer the appeal in time. Hence, there was a delay of 1133 days in filing the appeal and prays to allow the petition.

3.On a perusal of record, it is seen that no valid reason has been adduced for condoning the delay of 1133 days in filing the above Civil Miscellaneous Appeal. The delay is not minimal and it is a very long delay. The reasons stated for the delay are not acceptable reasons, where I do not find any infirmity. Therefore, this Court is not inclined to condone the delay of 1133 days in filing the appeal.

4.Accordingly, this petition is dismissed. In view of the order passed in CMP(MD)No.532 of 2019, the connected C.M.A.(MD)SR.No.1307 of 2019 is rejected at the SR stage itself. No costs.

Sd/-
Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Special Judge under the
Tamil Nadu Protection of Depositors
(In Financial Establishments Act), 1997, Madurai.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)



+1 CC to M/s.S.PON SENTHIL KUMARAN, Advocate (SR-12918[I] dated 06/08/2019)

+1 CC to M/s.SPL.GOV.T.PLEADER (SR-13119[I] dated 08/08/2019)

C.M.P. (MD) No.532 of 2019
in
CMA(MD) .No.SR1307 of 2019

msa

JM/03.09.2019/3P/6C