



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

Wednesday, the Twelfth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.7640 of 2018

IN

SA(MD) No.SR32979 of 2018

PILLAIYAN KATTALAIKAL,
REP.BY EXECUTIVE OFFICER,
SUDALAIMADAN KOVIL STREE,
D.NO.35, TIRUNELVELI TOWN.

... PETITIONER/ APPELLANT

Vs

1 RAJALAKSHMI
2 SIVA SUNDARI

... 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 981 days in filing above second appeal and thus render justice.

PRAYER IN SA(MD) No.SR32979 of 2018:

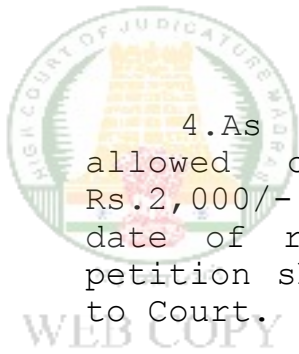
To prefer this memorandum of second appeal against the judgment and decree in A.S.No.45 of 2014 on the file of the Principal Sub Judge, Tenkasi dated 15.06.2015 reversing the judgment and decree passed in O.S.No.195 of 2012 dated 18.06.2014 on the file of the Additional District Munsif Court, Tenkasi.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.M.BALAMOCHAN THAMPI, Advocate for the petitioner and of Mr.D.SRINIVASA RAGHAVAN, Advocate for R1, the court made the following order:-

This petition is filed to condone the delay of 981 days in filing the above appeal.

2.Heard the learned Counsel on either side.

3.Though the petitioner has given reasons for the delay in the affidavit filed in support of this petition, the delay is inordinate. This Court has no material to discredit the statement of the petitioner explaining the huge delay. In such circumstances, this Court is inclined to allow this petition on terms.



4.As a result, the delay is condoned and the petition is allowed on condition that the petitioner pay a sum of Rs.2,000/- to the respondents within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed without further reference to Court.

5.Registry is directed to number the appeal, if the papers are otherwise in order, after showing proof for payment.

sd/-
12/06/2019

/ TRUE COPY /

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

TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
TENKASI

2 THE ADDITIONAL DISTRICT MUNSIF,
TENKASI.

COPY TO:

THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.7640 of 2018
IN
SA(MD) No.SR32979 of 2018
Date :12/06/2019

MS/VR/SAR-1/20.06.2019/2P.4C