



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

Tuesday, the Fourth day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.10882 of 2018

IN

CMA(MD) No.SR4355 of 2016

M.P.SIVARAMAKRISHNAN

... PETITIONER/ APPELLANT

Vs

C.ASHOK

... RESPONDENT/ RESPONDENT

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 769 days in filing the Civil Miscellaneous Appeal against the order and decreetal order dated 18.11.2013 in IA No.448 of 2013 in OS No.104 of 2013 on the file of the III Additional District Court, Tiruchirapalli and thus render justice.

Prayer in CMA(MD) No.SR4355 of 2016:-

To set aside the order and Decreeetal order in I.A.No.448 of 2013 in O.S.No.104 of 2013 dated 08.11.2013 on the file of III Additional District Judge, Trichirappalli.

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.GOVINDARAJAN, Advocate for the petitioner and of MR.T.SELVAM, Advocate on behalf of the Respondent, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 769 days in filing the above Civil Miscellaneous Appeal.

2.Heard both sides.

3.The learned counsel for the respondent raised objection in allowing this petition.

4.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.2500/-. (Rupees two thousand and five hundred only) to the Bubbles Day Care, being run by the Women Lawyers Association,



Madurai Bench of Madras High Court, Madurai, within a period of two weeks from the date of receipt of copy of this order.

5. This petition is accordingly ordered.

6. 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/-
04/06/2019

/ TRUE COPY /

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

TO

THE III ADDITIONAL DISTRICT JUDGE,
TIRUCHIRAPALLI

COPY TO:

1 THE BUBBLES DAY CARE,
BEING 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.10882 of 2018
IN
CMA (MD) No.SR4355 of 2016
Date :04/06/2019

JM/PN/SAR 2/10.06.2019/2P/4C