



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

Friday, the Fifteenth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.7881 of 2018

IN

SA(MD) No.SR34122 of 2018

RAJA

... PETITIONER/APPELLANT

Vs

1 SP.PERIANNAN

2 SUBBIAH NGAI

THIRUNAVUKKARASU (DIED)

3 MURUGESAN

4 SUMATHI

... 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 155 days in filing the second appeal in S.A. (MD)SR.No.34122 of 2018 and thus render justice.

PRAYER IN SA(MD) No.SR34122 of 2018

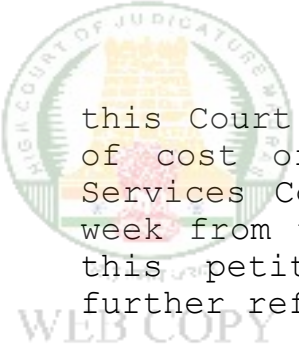
To set aside the decree and judgment in A.S.No. 16 of 2014 on the file of Sub Court, Devakottai dated 14.11.2017 confirming the judgment and decree passed in OS.No. 2 of 2010 on the file of the District Munsif Court, Devakottai dated 22.11.2013 and thus render justice.

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.C.JEYAPRAKASH, Advocate for the petitioner and of MR.K.RAJESWARAN, Advocate for R2, R1 and R4 not appeared either in person or by an Advocate, the court made the following order:-

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 155 days in filing the above Second Appeal.

2.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 Services Committee, 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.

3.This petition is accordingly ordered.

4. In the event of payment of cost, the Registry is directed to number the second appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-
15/03/2019

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE
DEVAKOTTAI

2 THE DISTRICT MUNSIF
DEVAKOTTAI

COPY TO:- 1. THE OFFICER IN-CHARGE,
LEGAL SERVICES COMMITTEE,
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.7881 of 2018
IN
SA(MD) No.SR34122 of 2018
Date :15/03/2019

MSI/JC/SAR 4/22.03.2019/2P-4C