



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

Friday, the Twenty Second day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.10952 of 2018
IN
SA(MD) No.SR9716 of 2016

1 A.POORNAMMAL,
2 A.SEKAR,
3 A.BALASUBRAMANIAN
4 A.AYYAPPAN,
5 A.VIJAYALAKSHMI,

... PETITIONERS/APPELLANTS

Vs

1 MUNIYANDI,
2 A.JAWAHAR,
3 A.PALANICHAMY,
4 S.DHARMENDRAN,
5 S.VEERACHOLAN,
6 SRIPAL,
7 AMIRTHARAJAN,
8 SUNDAR,

... RESPONDENTS/RESPONDENTS

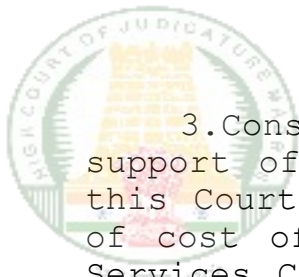
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condon the delay of 217 days in filing restoring the SA(MD) SR.No.9716 of 2016 and thus render justice.

PRAYER IN SA(MD) No.SR9716 of 2016

allow the S.A by setting aside the judgement and decree in A.S.NO.9 of 2013, dated 17.08.2015 on the file of Sub Court, Sivagangai and the decree and judgment in O.S.NO.39 of 2004 on the file of District Munsif Court, Manamadurai, dated 08.10.2012 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.A.SIVAJI, Advocate for the petitioner, the court made the following order:-

This petition has been filed by the petitioners seeking to condone the delay of 217 days in filing a petition for restoration of the above appeal.



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.1000/-.(Rupees one thousand only) to the Legal Aid 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.

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/-
22/03/2019

/ TRUE COPY /

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

TO

- 1 THE SUBORDINATE JUDGE,
SIVAGANGAI..
- 2 THE DISTRICT MUNSIF JUDGE,
MANAMADURAI.

COPY TO

- 1 THE OFFICER INCHARGE,
LEGAL AID SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/VR/SAR-4/27.03.2019/2P/5C

ORDER
IN
CMP (MD) No.10952 of 2018
IN
SA (MD) No.SR9716 of 2016
Date :22/03/2019