



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

Tuesday, the Twenty Sixth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.11132 of 2018

IN

SA(MD) No.SR13019 of 2018

1.P.C.AMARNATHAN,

2 RAMACHANDRAN,

... PETITIONERS/APPELLANTS

Vs

1.C.LINGADURAI PANDIAN,

2 MALLIKA,

3 CHELLADURAICHI,

4 ISMAIL,

... 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 162 days in paying the deficit court fee of Rs.11500/- in S.A.(MD)SR.No.13019 of 2018 and thus render justice.

PRAYER IN SA(MD) No.SR13019 of 2018:-

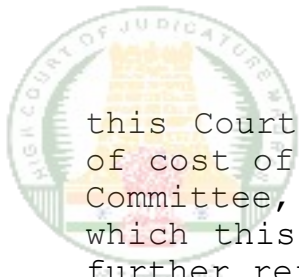
To prefer this Second Appeal against the decree and judgment passed in A.S.No.27 of 2016 on the file of the Principal District Judge, Tirunelveli, dated 09.01.2017 conforming the decree and judgment in O.S.No.181 of 2011 on the file of the Additional Sub Judge, Tenkasi, dated 01.02.2016.

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.T.A.EBENEZER, Advocate for the petitioner and of MR.C.T.PERUMAL, Advocate for R1 and Respondents 2 to 4 not appeared either in person or by an advocate, the court made the following order:-

Heard.

This petition has been filed by the petitioners seeking to condone the delay of 162 days in paying the deficit Court fee.

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, on or before 27.03.2019, failing which this petition shall stand dismissed automatically without any further reference to this Court.

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3.This petition is accordingly ordered.

4.It is stated by the learned counsel for the petitioners that the petition to condone the delay in filing the second appeal, is pending. Therefore, in the event of payment of cost, the Registry is directed to number the said petition, if it is otherwise in order and list the same forthwith.

sd/-
26/03/2019

/ TRUE COPY /

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

TO

1.THE PRINCIPAL DISTRICT JUDGE,
TIRUNELVELI.

2.THE ADDITIONAL SUBORDINATE JUDGE,
TENKASI.

COPY TO:

1. THE OFFICER INCHARGE
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.11132 of 2018
IN
SA (MD) No.SR13019 of 2018
Date :26/03/2019