



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

Thursday, the Seventh day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.8140 of 2018

IN

SA(MD) No.SR17526 of 2018

S.SELVARAJ

... PETITIONER/APPELLANT

Vs

1.VETRIVEL,

2 THE COMMISSIONER,
MUNICIPAL OFFICE,
GANDHI ROAD, PALANI.

... 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 394 days in filing the above Second Appeal before this Honourable court and pass such further or other orders as this Honourable court may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER IN SA(MD) No.SR17526 of 2018:-

To set aside the Judgment and Decree dated 04.11.2016 passed in A.S.No.15 of 2012 on the file of the Subordinate Judge, Palani, confirming the Judgment and Decree dated 15.02.2012 passed in O.S.No.26 of 2008 on the file of the District Munsif Court, Palani and allow the second Appeal.

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.J.R.ANNIE ABINAYA, Advocate for the petitioner and of MR.M.P.SENTHIL, Advocate for R1 and of the second respondent 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 394 days in filing the above Second Appeal.

<https://hcservices.ecourts.gov.in/hcservices/>

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.1,000/- (Rupees one thousand 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/-
07/02/2019

/ TRUE COPY /

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

TO

1.THE SUBORDINATE JUDGE, PALANI,

2.THE DISTRICT MUNSIF, PALANI.

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.8140 of 2018
IN
SA(MD) No.SR17526 of 2018
Date :07/02/2019

AE/JC/SAR2/12.02.2019/2P/5C