



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

Tuesday, the Thirtieth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.6629 of 2019
in
SA(MD)No.SR43187 of 2015

1.KANDHAYEE AMMAL
2.SUBRAMANI

... PETITIONERS/APPELLANTS

Vs

1.RAJATHI
2.ASHOKAN

... 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 1347 days in representing the above S.A.S.R (MD)No.43187 of 2015.

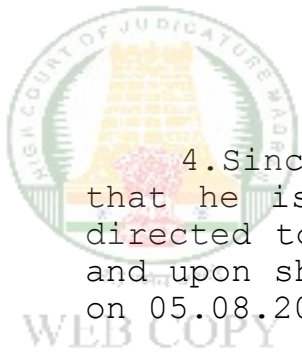
PRAYER IN SA(MD)No.SR43187 of 2015:

Pleased to set aside the Judgment and decree dated 16.07.2014 in A.S.No.73 of 2012 on the file of Hon'ble Sub Judge, Thirumangalam Camp reversing the Judgment and decree in O.S.No.347 of 2000 on the file of Learned District Munsif, Thirumangalam dated 17.07.2012.

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.V.SASIKUMAR, Advocate for the petitioners and of Mr.P.GANAPATHY SUBRAMANIAN, Advocate on behalf of the Respondents, the court made the following order:-

This petition is filed to condone the delay of 1347 days in representing the above appeal.

2.In the affidavit filed in support of this petition, the petitioners have given sufficient reasons to explain the delay. However, this Court is of the view that the delay could have been avoided, if due diligence is shown by the Counsel on record. Having regard to the facts and circumstances of the case, this Court is inclined to allow this petition on terms. Accordingly, the petition is allowed and the delay is condoned on condition that the petitioners pay a sum of Rs.5,000/- to the respondents or their Counsel within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed without further reference to Court.



4. Since the learned Counsel for the petitioners has submitted that he is prepared to pay the cost even today, the Registry is directed to number the appeal, if the papers are otherwise in order and upon showing proof for payment and post the matter for admission on 05.08.2019.

sd/-
30/07/2019

/ TRUE COPY /

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

TO

1. THE SUBORDINATE JUDGE,
THIRUMANGALAM CAMP.

2. THE DISTRICT MUNSIF,
THIRUMANGALAM.

COPY TO:

THE SUB ASSISTANT REGISTRAR, AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.6629 of 2019
in
SA(MD) No. SR43187 of 2015
Date : 30/07/2019

TK/VR/SAR.2/01.08.2019/2P/4C