

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

Thursday, the Twenty Seventh day of June Two Thousand Nineteen

PRESENT

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

CMP (MD) No.9835 of 2018
IN
SA (MD) No.SR36521 of 2018

A.ILANGO VAN, ... PETITIONER/APPELLANT

Vs

1 PALANI AATHISTHALANGUDI TAMIL
KSHTHIRYA NADAR (MADAM) SANGAM,
REGN NO.37/88, THROUGH ITS PRESIDENT,
GANDHI ROAD, PALANI, DINDIGUL DISTRICT.

2 PALANI AATHISTHALANGUDI TAMIL
KSHTHIRYA NADAR (MADAM) SANGAM,
REGN. NO.37/88, THROUGH ITS SECRETARY,
GANDHI ROAD, PALANI,
DINDIGUL DISTRICT. ... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order condoning the delay of 471 days in filing second appeal against the judgement and decree dated 06.02.2016 passed in A.S.No. 16/2012 by Sub Court, Palani on such terms as it deems fit and proper and thus render justice.

PRAYER IN SA (MD) No.SR36521 of 2018:-

To pass a Judgment and decree setting aside the judgment and decree dated 06.02.2016 passed in A.S.No.16/2012 by Sub Court, Palani, reversing the judgment and decree dated 08.12.2011 passed in O.S.No.452/2008 by District Munsif Court, Palani, with cost 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.S.ANAND CHANDRASEKAR for M/S.SARVABHAUMAN ASSOCIATES, Advocate for the petitioner and of MR.R.UDHAYAKUMAR, Advocate on behalf of the Respondents the court made the following order:-

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

This petition is filed to condone the delay of 471 days in

filing the second appeal. The petitioner has stated that since on account of diabetes, sores formed in the feet and did not heal and became severe, he could not move around and he failed to give proper instructions to the counsel in Madurai. However, since the delay is inordinate and it could be avoided, if the petitioner was little more diligent, this Court is inclined to allow this petition on terms. Hence, this petition is ordered on condition that the petitioner pay a sum of Rs.3,000/- to the respondent within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition stands dismissed automatically without any reference to this Court.

sd/-
27/06/2019

/ 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

ORDER
IN
CMP (MD) No.9835 of 2018
IN
SA (MD) No.SR36521 of 2018
Date :27/06/2019

TM
AE/PN/SAR-II (03.07.2019) 2P 3C

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