



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

Tuesday, the Twenty Seventh day of August Two Thousand Nineteen

PRESENT

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

CMP (MD) No.7585 of 2019

IN

SA (MD) No.SR38823 of 2018

ARUMUGAM (DIED)

1 PAPPAMMAL
2 A.NAGARAJAN
3 A.MANOCHARAN
4 POONGODAI
5 RAMANI
6 TAMIL SELVI
7 MURUGESAN (DIED)
8 SATHIYA BAMA
9 KAVIARASI

... PETITIONER/APPELLANTS

Vs

1 PERIYASAMI
2 MARUTHAI SERVAI

3 TAMIL NADU ELECTRICITY BOARD
THROUGH ITS ASSISTANT ENGINEER,
NAGAL NAGAR, DINDIGUL TOWN.

4 CHITRA
5 ESWARI
6 LAKSHMI AMMAL

... 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 143 days in representing the above Second Appeal in SA.SR(MD)No.38823 of 2018.

PRAYER IN SA.SR(MD)No.38823 of 2018 :

To allow this second appeal and set aside the judgment and decree of 1st Appellate Court of Additional Sub Court, Dindigul, in AS No.16 of 2017 dated 09.03.2018 restore the judgment and decree of Principal District Munsiff, Dindigul in O.S.No.126 of 1999 dated 22.12.2016.



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.K.MURALEEDHARAN, Advocate for the petitioner, the court made the following order:-

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This Civil Miscellaneous Petition is filed to condone the delay of 143 days in re-presenting the Second Appeal papers.

2.Though the delay is explained, this Court is of the view that the delay could have been avoided, if the petitioners had shown diligence. However, in the interest of justice, this Court is inclined to allow this petition on terms.

3.Accordingly, this petition is allowed and the delay is condoned on condition that the petitioners pay a sum of Rs.1,000/- to the Bubbles Day Care, being run by the Women Lawyers Association, Madurai Bench of Madras High Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order.

sd/-
27/08/2019

/ TRUE COPY /

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

TO

1.THE ADDITIONAL SUBORDINATE JUDGE,
DINDIGUL,

2.THE PRINCIPAL DISTRICT MUNSIF,
DINDIGUL.

COPY TO : THE OFFICER INCHARGE, BUBBLES DAY CARE,
WOMEN LAWYERS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI,

ORDER
IN
CMP (MD) No.7585 of 2019 IN
SA (MD) No.SR38823 of 2018
Date :27/08/2019

SRM
PK/JC/SAR-2/09.09.2019 : 2P/4C