



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

Tuesday, the Nineteenth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.9849 of 2018

IN

SA(MD) No.SR9041 of 2017

V.VEERAMANI @ ASOKAN

... PETITIONER/APPELLANT

Vs

1 VEERAMANI THEVAR (DIED)

V.THIRUMALAI

2 DURAIRAJ THEVAR

3 NATCHADALINGAM

4 THAVAMALAR

... 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 509 days in filing the Second Appeal in SASR (MD) No.9041 of 2017 in A.S.No.65 of 2012 dated 06.07.2015 on the file of the Subordinate Court, Srivilliputhur in O.S.No.434 of 2007 dated 29.02.2012 on the file of the District Munsif Court, Srivilliputhur and thus render justice.

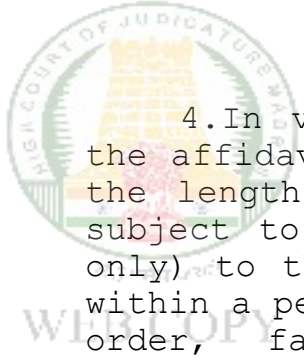
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.J.BALAMEENAKSHI, Advocate for the petitioner and of MR.N.BALA SUBRAMANIAM, Advocate for R1, R2 to R4 not appeared either in person or by an Advocate, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 509 days in filing the above second appeal.

2.Heard the learned counsel for the petitioner as well as the learned counsel for the first respondent. Though notice served to the other respondents, none appeared for them.

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

3. There is no serious objection on the side of the first respondent in allowing this petition.



4. In view of the above and 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.2,000/- (Rupees two thousand only) to the Legal Aid 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.

4. This petition is accordingly ordered.

5. In the event of payment of cost, the Registry is directed to number the appeal if it is otherwise in order and list the same "for admission" forthwith.

sd/-
19/03/2019

/ TRUE COPY /

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

TO

- 1 THE SUBORDINATE JUDGE
SRIVILLIPUTHUR
- 2 THE DISTRICT MUNSIF
SRIVILLIPUTHUR

COPY TO:- 1. THE OFFICER IN-CHARGE,
LEGAL AID SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

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

+1cc to Mr.J.BALAMEENAKSHI, Advocate in SR.No. 5272

ORDER

IN

CMP(MD) No.9849 of 2018

IN

SA(MD) No.SR9041 of 2017

Date :19/03/2019

MSI/JC/SAR 4/22.03.2019/2P-6C