



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

Friday, the Fifteenth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.10015 of 2018
IN
SA(MD) No.13 of 2017

JANSI RANI

... PETITIONER/APPELLANT

Vs

V. SELVARAJ

... RESPONDENT/RESPONDENT

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 190 days in filing the restoration petition in CMP SR (MD) No.20118 of 2017 in SA (MD) No.13 of 2017 on the file of this Honble Court and thus render justice.

Prayer in CMP SR (MD)NO.20118 of 2017

set aside the order dated 05.04.2017 made in S.A(MD)NO.13 of 2017 on the file of this Hon'ble High Court and consequently to restore the above Second Appeal and thus render justice.

Prayer in SA(MD). 13/ 2017 :

To set aside the Decree and Judgment dated 14.12.2011 in A.S.No.22 of 2011 on the file of the Additional District & Sessions Judge/ Fast Track Court, Pudukkottai confirming the Judgment and Decree in O.S.No.18 of 2008 dated 05.07.2010 on the file of the Subordinate judge, Pudukkottai

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

Heard.

This petition has been filed by the petitioner seeking to condone the delay of 190 days in filing the restoration petition in C.M.P(MD)SR.20118 of 2017 in S.A(MD)No.13 of 2017.

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.500/- (Rupees five hundred 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 restoration petition, if it is otherwise in order and list the same for hearing forthwith.

sd/-

15/02/2019

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE,
PUDUKOTTAI.

COPY TO

THE OFFICER INCHARGE,
LEGAL SERVICE COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/JC/SAR-4/21.02.2019/2P/3C

ORDER

IN

CMP(MD) No.10015 of 2018

IN

SA(MD) No.13 of 2017

Date :15/02/2019