



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

Tuesday, the Seventeenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP (MD) No.4478 of 2018
IN
AS (MD) No.SR29114 of 2016

1 KASTHURI NAGARAJAN

2 NAGAJOTHI

... PETITIONERS/APPELLANTS

Vs

1 SIVASAKTHI NAGARAJ @ V.NAGARAJ,

2 S.S.N.MAHARANI@ DURGADHARINI

3 J.GEETHA

4 MINOR ARUNACHALAM (rep by his mother & natural guardial,
the 3rd Respondent herein)

5 DR.KANJANAI NAGARAJAN

6 DURGAI KUMARAN

7 S.S.N.MAHALAKSHMI

8 MEHRUNNISHA BEGUM HAJI

9 A.KANDHASAMI AACHARI

10 JEGADEESAN

11 PADMANABAN

... 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 626 days in representing the above Appeal and thus render justice.



PRAYER IN AS (MD) No.SR29114 of 2016:

Pleaded to set aside the judgment and decree dated 09.02.2016 passed in O.S.No.70 of 2010 on the file of Additional District Judge, Dindigul in so far as disallowed portion is concerned and allow the present appeal.

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.R.J.KARTHICK, Advocate for the petitioner and of and of MR.H.LAKSHMI SHANKAR, for R4 and of Respondents 1,5,6,8 not appeared either in person or an Advocate the court made the following order:-

Heard.

This petition has been filed by the petitioners seeking to condone the delay of 626 days in representing the above Appeal Suit.

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.1,500/- (Rupees one thousand and 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 appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-
17/09/2019

/ TRUE COPY /

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



TO

1 THE ADDITIONAL DISTRICT JUDGE,
DINDIGUL.

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

3 THE SUB ASSISTANT REGISTRAR,
A.E. SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP (MD) No.4478 of 2018
IN
AS (MD) No.SR29114 of 2016
Date :17/09/2019

TR/JC/SAR-I (20.09.2019) 3P 4C