



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

Monday, the Ninth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.11087 of 2017

IN

AS(MD) No.SR45225 of 2017

1 SADAIYANDI
2 KARAI AH
ALAGARSAMY (DIED)
3 MARIAAPPAN
4 KADARKARAI
5 SADAICHI
6 MAHALAKSHMI
7 JEYAKUMAR

... PETITIONERS/APPELLANTS

Vs

GANAPATHI THEVAR (DIED)
1. PANDIAN
2 MURUGANANTHAM
3 MARIMUTHU
4 JEYAVEL
5 RAVIKUMAR
6 SANTHI
7 RAJESWARI

... 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 246 days in filing the above appeal.

PRAYER IN AS (MD) No.SR45225 of 2017

Pleased to set aside the Judgment and Decree made in I.A.No.483 of 2011 in O.S.No.1056 of 2004 on the file of the Principal District Munsif Court, Srivilliputhur, dated 09.12.2016, and allow this first appeal 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 M/S.P.SUBBARAJ, Advocate for the petitioners and of Mr.M.Solaisamy, Advocate for R1, R3 to R7, and No appearance either in person or by an Advocate for R2, the court made the following order:-



This petition has been filed by the petitioners seeking to condone the delay of 246 days in filing the above appeal.

2.The learned counsel appearing for the respondents has no serious objection in allowing this petition.

3.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.1000/-.(Rupees one thousand 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 automatically dismissed 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 and list the same for admission forthwith, if it is otherwise in order.

sd/-

09/09/2019

/ TRUE COPY /

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

TO

THE PRINCIPAL DISTRICT MUNSIF,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

Copy To:

1. THE CO-ORDINATOR,
THE LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
2. THE SUB ASSISTANT REGISTRAR,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

ORDER IN
CMP(MD) No.11087 of 2017 IN
AS(MD) No.SR45225 of 2017
Date :09/09/2019

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ES/PN/SAR 3/16.09.2019/2P/4C

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