



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

Friday, the Twenty Fourth day of January Two Thousand Twenty

PRESENT

The Hon'ble Mr.Justice R.SUBRAMANIAN

CMP(MD) No.453 of 2020
IN
SA(MD)No.SR981 of 2014

LEELAVATHI

... PETITIONER/APELLANT

Vs

1 P.CHELLIAH
2 C.ANNALAKSHMI
3 RAJESWARI
4 BHASKARALINGAM
5 T.SIVASUBRAMONIA NADAR

... RESPONDENTS/RESPONDENTS

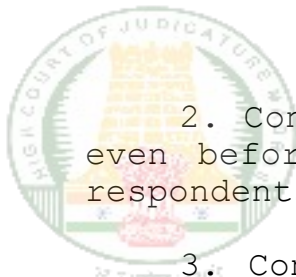
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Condone the delay of 979 days in filing this restoration petition to restore the respondents No.1 to 3 and 5 in M.P.1/2014 in SA.Sr.NO.981 of 2014.

Prayer in SA(MD)No.SR981 of 2014:

Second Appeal against the Judgment and decree dated 12.09.2007 with respect to the order made in A.S.No.167 of 2004 on the file of the Principal Subordinate Judge, Nagercoil upholding the Judgment and Decree dated 30.06.2004 made in O.S.No.370 of 1999 on the file of the 2nd Additional District Munsif, Nagercoil, Kanyakumari District.

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.T.LAJAPATHI ROY, Advocate for the petitioner and of Mr.G.PRABHU RAJADURAI, Advocate for 4th respondent, the court made the following order:-

This application has been filed seeking condonation of delay of 979 days in filing an application to restore M.P.(MD)No.1 of 2014 in S.A.(MD)No.SR981 of 2014, which was dismissed for default against respondents 1 to 3 and 5 on 04.04.2017.



2. Considering the fact that the said application was dismissed even before service of notice, notice in this application to the respondents 1 to 3 and 5 is deemed unnecessary.

3. Considering the reasons assigned in the affidavit filed in support of this application, delay of 979 days in filing application to restore M.P.(MD)No.1 of 2014 against respondents 1 to 3 and 5 is condoned subject to the condition that the petitioner shall pay a costs of Rs.2,000/- (Rupees Two Thousand only) to the Women Advocate Association (WAA) Creche attached to the Madurai Bench of Madras High Court on or before 31.01.2020.

sd/-
24/01/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE PRINCIPAL SUBORDINATE JUDGE, NAGERCOIL.
2. THE II ADDITIONAL DISTRICT MUNSIF, NAGERCOIL.

COPY TO:-

THE OFFICER IN-CHARGE,
WOMEN ADVOCATE ASSOCIATION (WAA) CRECHE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.453 of 2020 in
SA(MD)No.SR981 of 2014
Date :24/01/2020

TA
TE/SKN/SAR-III : 28/01/2020 : 2P/4C