



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

Monday, the Thirtieth day of November Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN

CMP (MD) No.1846 of 2020
in
SA (MD) SR.No.8444 of 2020

THANGARASAMMAL

... PETITIONER/APPELLANT

Vs

1 P.RAVIBALAN
2 R.ANBUSELVAN

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Condone the delay of 474 days in filing the above Second Appeal.

PRAYER IN SA (MD) SR.No.8444 of 2020:

Pleased to allow this Second Appeal and set aside the Judgment and Decree passed by the Additional District Court(FTC), Palani in A.S.No.100 of 2017 dated 27.07.2018 by confirming the Judgment and Decree passed by Principal District Munsif Court, Oddanchathram in O.S.No.247 of 2009 dated 07.02.2015.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.SARAVAGAN PRABHU, Advocate for the petitioner and of Mr.R.VIJAYAKUMAR, Advocate for R1 and Mr.K.ELANGO VAN, Advocate for R2, the court made the following order:-

This Miscellaneous Petition has been filed to condone the delay of 474 days in filing the above Second Appeal.

2. Heard the submission of the learned Counsel appearing for the petitioner and the learned counsel appearing for the second respondent and he strongly opposed this petition.

3. However, considering the facts and circumstances of the case, this Court is inclined to condone the delay, by putting the petitioner on terms.



4. In the result, this Miscellaneous Petition is allowed and the delay of 474 days in filing the above Second Appeal is condoned, subject to the condition that the petitioner shall pay a sum of Rs.500/- (Rupees Five Hundred only) as costs, to the credit of the High Court Legal Services Committee, attached to the Madurai Bench of Madras High Court, Madurai, on or before **15.12.2020**, failing which, this petition shall stand dismissed, automatically, without further reference to this Court.

4. On such payment being made, Registry is directed to number the Second Appeal, if it is otherwise in order.

sd/-
30/11/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, copy of the order may be utilized for official purposes, but, that the copy of the order that is presented is the correct shall be the responsibility of the Advocate / litigant concerned

TO

1.THE ADDITIONAL DISTRICT JUDGE(FTC), PALANI.

2.THE PRINCIPAL DISTRICT MUNSIF, ODDANCHATHRAM.

COPY TO:

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

ORDER
IN
CMP(MD) No.1846 of 2020
in
SA(MD) SR.No.8444 of 2020
Date :30/11/2020

VSM
TK/PN/SAR.4/03.12.2020/2P/4C