



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

Tuesday, the Twenty Eighth day of July Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.3444 of 2020

in

A.S(MD)No.SR 18579 of 2018

M.SULAIMAN

... PETITIONER/ APPELLANT

Vs

1 AMEERHAMSHA

2 A.ABDUL KABEEZ

... 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 661 days in paying the deficit court fee of Rs.59,000/- in AS.SR.No.18579/2018 and thus render justice.

Prayer in A.S(MD)No.SR 18579 of 2018:

To set aside the judgment and decree dated passed in O.S.No.42 of 2013 dated 13.11.2017 on the file of Additional District Judge, Ramanathapuram 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.T.LAJAPATHI ROY, Advocate for the petitioner and of MR.D.NALLATHAMBI, Advocate on behalf of the First Respondent, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 661 days in paying the deficit Court fee of Rs.59,000/- in A.S.(MD).SR.No.18579 of 2018.

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

3. Considering the length of delay, this Court is inclined to allow this petition subject to the payment of cost of Rs.2,000/- (Rupees two thousand only) to the Legal Services Committee, attached to this Bench, within a period of three weeks from the date of receipt of a copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court. The petition is accordingly ordered.



4. Registry is directed to number the appeal if it is otherwise in order.

sd/-
28/07/2020

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

TO

THE ADDITIONAL DISTRICT JUDGE,
RAMANATHAPURAM.

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

ORDER
IN
CMP (MD) No.3444 of 2020
in
A.S (MD) No.SR 18579 of 2018
Date :28/07/2020

gcg
JM/AKM/SAR 2/06.08.2020/2P/3C