



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

Tuesday, the Thirteenth day of October Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN

CMP(MD) No.5133 of 2019

IN

SA(MD) No.SR18950 of 2015

PITCHAIMUTHU

... PETITIONER/APELLANT

Vs

1 RAMASAMY GOWDER

2 MUTHUSAMY GOWDER

... RESPONDENTS/RESPONDENTS

(2nd RESPONDENT HEREIN IS A FORMAL PARTY
HENCE NO NOTICE NEED BE SERVED ON HIM)

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 1480 days in representing the above Second Appeal in SA(MD)SR.No.18950 of 2015.

Prayer in in SA(MD)SR.No.18950 of 2015:

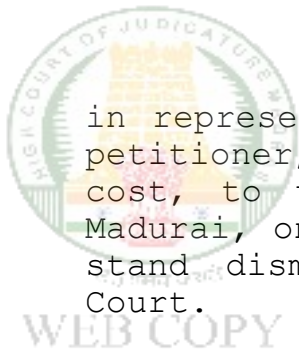
To set aside the judgment and decree dated 20.01.2014 made in A.S.No.51 of 2011 on the file of learned Principal District Judge, Dindigul setting aside the preliminary decree and judgment dated 24.08.2011 made in O.S.No.201 of 2006 on the file of Principal Sub Court, Dindigul, and allow this Second Appeal pending on the file of this Hon`ble Court.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.S.A.AJMAL KHAN, Advocate for the petitioner and of None appeared for the 2nd Respondent either in person or by an advocate, the court made the following order:-

This Civil Miscellaneous Petition has been filed to condone the delay of 1480 days in representing the Second Appeal.

2. The learned counsel for the petitioner submitted that the returned bundle was misplaced and mixed with other bundles, which caused delay in representing the Second Appeal.

3. Having been satisfied with the reasons assigned in the petition in support of this Petition, the delay of 1480 days



in representing the above appeal is condoned on condition that the petitioner, pays a sum of Rs.1000/- (Rupees One Thousand only) as cost, to the credit of the High Court Legal Services committee, Madurai, on or before 02.11.2020, 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 and list the Second Appeal, if it is otherwise in order.

sd/-
13/10/2020

/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT JUDGE,
DINDIGUL.

2 THE PRINCIPAL SUB COURT,
DINDIGUL.

COPY TO:

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

ORDER
IN
CMP(MD) No.5133 of 2019
IN
SA(MD) No.SR18950 of 2015
Date :13/10/2020

pm
JM/PN/SAR III/15.10.2020/2P/4C