



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Tuesday, the Third day of November Two Thousand and Twenty

WEB COPY

PRESENT

The Hon'ble Mr. Justice R. MAHADEVAN

CMP(MD) No.5940 of 2019
IN
SA(MD) No.SR32863 of 2018

PERUMAL (DIED)

- 1 KARUPPAYEE
- 2 SOLAIRAJ
- 3 GURUSAMY
- 4 JOTHIMANI
- 5 MUTHATCHI
- 6 SAKTHIVEL

... PETITIONERS/APPELLANTS

Vs

RAMUTHAI (DIED)

- 1 ALAGAMMAL
- 2 GURUSAMY
- 3 MAYILVAHANAN
- 4 SAKTHIVEL
- 5 M.SANKAR
- 6 MAHADEVAN

... 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 601 days in filing the above Second Appeal.

Prayer in SA(MD) No.SR32863 of 2018:

To set aside the judgment and decree passed in AS No.15 of 2015 dated 14.09.2016 on the file of the Subordinate Judge, Virudhunagar reversing the judgment and decree passed in OS No.85 of 2009 dated 30.06.2015 on the file of the District Munsif, Virudhunagar.

ORDER : This petition coming on for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.N.VALLINAYAGAM, Advocate for the petitioners and of M/s.LAXMI GOPINATHAN, Advocate on behalf of the Respondents 1 to 6, the Court made the following order:-

This Civil Miscellaneous Petition has been filed to condone the delay of 601 days in filing the Second Appeal.



2. Heard the learned counsel appearing for the petitioners as well as the respondents.

3. The learned counsel appearing for the respondents has no objection for allowing the petition.

4. Having been satisfied with the reasons assigned in the affidavit filed in support of the Petition, the delay of 601 days in filing the above appeal is condoned on condition that the petitioners, pay a sum of Rs.500/- (Rupees Five Hundred only) as cost, to the credit of the High Court Legal Services committee, Madurai, on or before 24.11.2020, failing which, this petition shall stand dismissed automatically without further reference to this Court.

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

sd/-
03/11/2020

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

TO

1. THE SUBORDINATE JUDGE,
VIRUDHUNAGAR.

2. THE DISTRICT MUNSIF,
VIRUDHUNAGAR.

COPY TO:

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

ORDER
IN
CMP(MD) No.5940 of 2019 IN
SA(MD) No.SR32863 of 2018
Date :03/11/2020

AM/VSM
SRS/AKM/SAR-III/05.11.2020/ 2P/4C

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