



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Ninth day of October Two Thousand and Twenty

WEB COPY

PRESENT

The Hon'ble Mr. Justice R. MAHADEVAN

CMP(MD) No.6283 of 2019
in
SA(MD) No.SR9163 of 2017

R.SUNDAR

... PETITIONER

Vs

1 G.JOSEPH MICHAEL
2 G.JOSEPH ANTHONYSAMY

... 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 797 days in representing the above SA(MD) No.SR9163 of 2017.

Prayer in SA(MD) No.SR9163 of 2017:

To set aside the Judgment and Decree of the First Appellate Court dated 25.10.2016 passed in AS No.14 of 2016 on the file of the Subordinate Judge, Ambasamudram, reversing the Judgment and Decree of the Trial Court dated 08.03.2016 passed in OS No.79 of 2012 on the file of the Principal District Munsif Court, Ambasamudram and to allow the Second Appeal.

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.R.J.KARTHICK, Advocate for the petitioner, the Court made the following order:-

This Miscellaneous Petition has been filed to condone the delay of 797 days in re-presenting the Second Appeal.

2. Heard the submission of the learned Counsel appearing for the petitioner. There is no representation on behalf of the respondents either in person or through counsel.

3. Having been satisfied with the reasons assigned in the affidavit filed in support of this Petition, the delay of 797 days in re-presenting 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 **04.11.2020**, failing which, this petition shall stand dismissed, automatically, without further reference to this Court.

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

sd/-
09/10/2020

/ 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, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

TO

- 1 THE SUBORDINATE JUDGE,
AMBASAMUDRAM.
- 2 THE PRINCIPAL DISTRICT MUNSIF,
AMBASAMUDRAM.

COPY TO:

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

ORDER
IN
CMP(MD) No.6283 of 2019 in
SA(MD) No.SR9163 of 2017
Date :09/10/2020

VSM
SRS/ AKM/SAR-II/ 13.10.2020/ 2P/4C