



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

Wednesday, the Fifth day of August Two Thousand Twenty

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

C.M.P(MD).No.10802 of 2019

in

C.M.P.(MD).SR.No.12752 of 2018

in

S.A.No.1998 of 2003

1 A.S.SHANMUGAVELU (DIED)

...PETITIONER/ PETITIONER/
SOLE APPELLANT

2 ARUMUGAM

... PETITIONER/ PETITIONER/
PROPOSED APPELLANT

Vs

SANKARANKOVIL ATHIPARAMBARAI MARUTHUVAR SAMUDAYAM,
SANKARANKOVIL THROUGH ITS
REPRESENTATIVES AND, OFFICE BEARERS,

1.AZHAGUSUNDARAM

2 M.PARAMASIVAM

3 MURUGAIAH,

4 MADASAMY

5 MARIAPPAN

6 SHANMUGAM

7 MUTHAIAH

8 PARAMASIVAM

9 VELLAPANDI

... RESPONDENTS/ RESPONDENTS

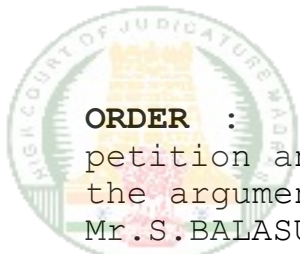
Petition praying that in the circumstances stated therein
and in the affidavit filed therewith the High Court will be pleased
to condone the delay of 389 days in representing the above
application in C.M.P.S.R.No.12752 OF 2018 in S.A.1998 OF 2003.

PRAYER IN C.M.P. (MD) .SR.No.12752 of 2018:

Pleased to implead the petitioner as propsed 2nd appellant in
the above second appeal in S.A.No.1998 of 2003.

PRAYER IN SA No.1998 of 2003:

To prefer this Memorandum of Second Appeal against the judgment
and decree in A.S.No.78 of 2003 on the file of the Principal
District Judge, Tirunelveli, dated 05.08.2003 reversing the
judgment and decree in O.S.No.137 of 2000 on the file of the Sub
Court, Sankarankovil, dated 07.02.2003.



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.M.P.SENTHIL, Advocate for the petitioner and of Mr.S.BALASUBRAMANIAN, Advocate for R2, the court made the following order:-

WEB COPY

This petition has been filed by the petitioner seeking to condone the delay of 389 days in representing the above application in C.M.P.(MD).SR.No.12752 of 2018 in S.A.No.1998 of 2003.

2. The learned counsel appearing for the petitioner submitted that during the pendency of this second appeal, the sole appellant, who is the father of the petitioner, died and the petitioner has presented an application in C.M.P.(MD).SR.No.12752 of 2018 seeking to implead himself as second appellant, but the same was returned by the Registry pointing out certain defects. Thereafter, it was misplaced in the Office of the counsel. After tracing out the same, it was represented with delay of 389 days. In order to condone the said delay, this petition is filed by the petitioner.

3. Considering the reason stated in the affidavit filed in support of the petition and also considering the length of delay, this petition is ordered subject to the payment of cost of Rs.1,000/- (Rupees one thousand only) to the Legal Services Committee, attached to this Bench, within a period of two 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.

sd/-

05/08/2020

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/ /2020

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

TO

1.THE PRICIPAL DISTRICT JUDGE, TIRUNELVELI.

2.THE SUBORDINATE JUDGE,SANKARANKOIL.

COPY TO:

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

ORDER IN

C.M.P(MD).No.10802 of 2019 in

C.M.P.(MD).SR.No.12752 of 2018 in

S.A.No.1998 of 2003

Date :05/08/2020