



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

Thursday, the Thirtieth day of July Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CMP(MD) No.9570 of 2019

in

S.A.(MD)No.SR66034 of 2019

K.THAVAMANIGURU

... PETITIONER/ APPELLANT

Vs

1 PACKIYALAKSHMI

2 P.SIVAKUMARAN RAJA

3 R.LAKSHMANAN

... 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 440 days in filing the Second Appeal.

PRAYER IN S.A.(MD)No.SR66034 of 2019:

To set aside the Judgment and Decree passed in A.S.No.5 of 2012 dated 12.01.2018 on the file of Sub Court at Srivilliputhur confirming the Judgment and Decree passed in O.S.No.44 of 2006 dated 06.11.2009 on the file of Additional District Munsif, Srivilliputhur and 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.C.SUNDARAVADIVEL, Advocate for the petitioner and of MR.R.ALAGUMANI, Advocate on behalf of the Respondents 1 and 2, the court made the following order:-

Heard both sides.

2. This Court is satisfied with the reasons stated in paragraph Nos.4 and 5 of the affidavit filed in support of this petition. Accordingly, the delay of 440 days in filing the above Second Appeal is condoned subject to payment of Rs.3,000/- (Rupees Three Thousand only) to the credit of the Advocate Clerks Association attached to Madurai Bench of Madras High Court on or before 12.08.2020.

3. After ascertaining such payment, the Registry is directed to number the appeal, if the papers are otherwise in order.



4. As and when the appeal is numbered and listed for admission, the Registry is directed to print the name of Mr.R.Alagumani, learned counsel for the respondents. The learned counsel for the petitioner is directed to serve the typed set of papers to the learned counsel appearing for the respondents beforehand.

WEB COPY

sd/-
30/07/2020

/ 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 JUDGE,
SUB COURT, SRIVILLIPUTHUR.
- 2 THE ADDITIONAL DISTRICT MUNSIF,
SRIVILLIPUTHUR.

COPY TO:
THE OFFICER INCHARGE,
ADVOCATE CLERKS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.9570 of 2019
in
S.A. (MD) No.SR66034 of 2019
Date :30/07/2020

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JM/JC/SAR 2/04.08.2020/2P/4C