



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

Tuesday, the Sixth day of October Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

C.M.P. (MD)No.11302 of 2019

in

SA. (MD) SR.No.25113 of 2019

1 RAMA ARJUNAN
2 A.MARUTHAMBAL

... PETITIONERS/APPELLANTS

Vs

1 RAMA.PANJAVARNAM
2 M.CHELLAMUTHU

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Condone the delay of 1169 days in filing the above Second Appeal against the judgment and decree dated 19.01.2016 made in A.S.No.23 of 2015 on the file of Learned District Judge, Sivagangai, reversing the judgement and decree dated 08.07.2015 made in OS.No.23/2010 on the file of Learned Subordinate Judge, Sivagangai.

PRAYER IN SA. (MD) SR.No.25113 of 2019:

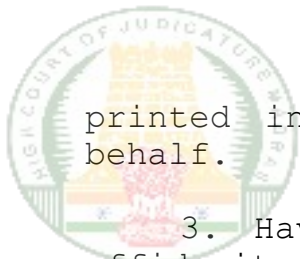
To set aside the judgment and decree dated 19.01.2016 made in AS No.23 of 2015 on the file of learned District Judge, Sivagangai, reversing the judgment and decree dated 08.07.2015 made in O.S.No.23 of 2010 on the file of learned Subordinate Judge, Sivagangai, and allow this second Appeal pending on 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.V.S.KUMARAGURU, Advocate for the petitioners and of the respondents 1 and 2 not appeared either in person or by an Advocate, the Court made the following order:-

This Miscellaneous Petition has been filed to condone the delay of 1169 days in filing the Second Appeal.

2. Heard the learned Counsel appearing for the petitioners. Though notice was served on the respondents and their names were

<https://hcservices.ecourts.gov.in/hcservices/>



printed in the cause list, there is no representation on their behalf.

3. Having been satisfied with the reasons assigned in the affidavit filed in support of the Petition, the delay of 1169 days in filing the above appeal is condoned on condition that the petitioners, 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 **29.10.2020**, 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/-
06/10/2020

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

TO

1.THE DISTRICT JUDGE, SIVAGANGAI.

2.THE SUBORDINATE JUDGE, SIVAGANGAI.

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

ORDER
IN
CMP(MD) No.11302 of 2019
in
SA. (MD) SR.No.25113 of 2019
Date :06/10/2020

am/pkn
AE/SMA/SAR-IV (09.10.2020) 2P 4C