



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

Friday, the Thirty First day of July Two Thousand Twenty

PRESENT

The Hon'ble Mr.Justice N.SESHASAYEE

CMP(MD) No.446 of 2017

IN

SA(MD) No.SR15297 of 2016

PARVATHI (DIED)

1 POOCHENDU
2 RAJESWARI
3 MUTHUSELVAM

... PETITIONERS/APPELLANTS

Vs

1 RATHINAM NADAR
2 SIVANANAINTHA PERUMAL
3 PARAMESWARI

... RESPONDENTS/RESPONDENTS

[CAUSE TITLE ACCEPTED VIDE COURT ORDER
DATED 16.11.16 MADE IN CMP(MD)No.10637/16
IN SA(MD) No.SR15297 of 2016]

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 2107 days in filing the above Second Appeal.

Prayer in SA(MD) No.SR15297 of 2016:

Second Appeal against the Judgment and Decree dated 24.03.2010 passed in A.S.No.125 of 2007 on the file of the Sub Judge, Thoothukudi reversing the Judgment and Decree dated 21.06.2007 passed in O.S.No.5 of 2006 on the file of the Principal District Munsif, Thoothukudi.

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.CHENGIZ KHAN, Advocate for Mr.G.PRABHU RAJADURAI, Advocate for the petitioners and of Ms.P.JESSI JEEVA PRIYA, Advocate on behalf of the Respondents, the court made the following order:-

Heard both sides.

2.This is a matter that should not halt, even if the appeal is

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admitted. The learned counsel for the respondent insisted that reasonable cost may be imposed.

3. Accordingly, the delay of 2107 days in filing the above Second Appeal is condoned subject to payment of Rs.2,000/- (Rupees Two Thousand only) to the credit of the Advocate Clerks Association attached to the Madurai Bench of Madras High Court.

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

5. As and when the appeal is numbered and listed for admission, the Registry is directed to print the name of Ms.P.Jessi Jeeva Priya, 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.

6. Post on 04.08.2020.

sd/-
31/07/2020

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

TO

1. THE SUBORDINATE JUDGE, THOOTHUKUDI.
2. THE PRINCIPAL DISTRICT MUNSIF,
THOOTHUKUDI.

COPY TO:-

THE OFFICER IN-CHARGE,
ADVOCATE CLERKS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.446 of 2017
IN
SA(MD) No.SR15297 of 2016
Date :31/07/2020

TA/TSG-2
TE/JC/SAR-III : 03/08/2020 : 2P/4C