



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.8475 of 2017

IN

SA(MD) No.SR16119 of 2005

1 CHELLAMMA
2 MAHESWARI
3 KASTHURI

... PETITIONERS/PETITIONERS/
APPELLANTS

Vs

1 SELVAPOO
2 KUMARADHAS
3 RAVI
4 RAGHU
5 RAJAN
6 SADASIVAN

... RESPONDENTS/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 124 days in filing the petition to restore in CMP.No.4351 of 2005 in SA.SR.No.16119 of 2005 on the file of the Honourable Court and thus render justice and thus render justice.

Prayer in SA(MD) No.SR16119 of 2005:

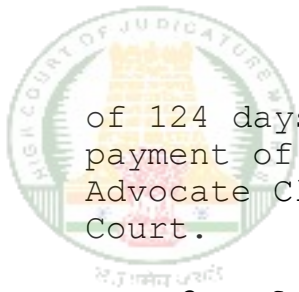
Second Appeal against the Judgment and decree of the learned Second Additional Subordinate Judge, Nagercoil (Camp at Kuzhithurai) in A.S.No.157 of 1998 dated 09.01.2002 reversing the Judgment and decree of the learned Second Additional District Munsif, Kuzhithurai in O.S.No.916 of 1990 dated 29.10.1998.

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.K.SREE KUMARAN NAIR, Advocate for the petitioners and of Mr.K.N.THAMPI, Advocate on behalf of the Respondents 1&2, the court made the following order:-

Heard both sides.

2. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition. Accordingly, the delay

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of 124 days in filing the above Second Appeal is condoned subject to payment of Rs.500/- (Rupees Fiver Hundred only) to the credit of the Advocate Clerks Association attached to Madurai Bench of Madras High Court.

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.K.N.Thambi, 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.

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 II ADDITIONAL SUBORDINATE JUDGE,
NAGERCOIL (CAMP AT KUZHITHURAI).
2. THE II ADDITIONAL DISTRICT MUNSIF,
KUZHITHURAI.

COPY TO:-

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

ORDER
IN
CMP (MD) No.8475 of 2017
IN
SA(MD) No.SR16119 of 2005
Date :30/07/2020

TA
TE/JC/SAR-II : 04/08/2020 : 2P/4C

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