



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

Monday, the Eighteenth day of January Two Thousand and Twenty One

PRESENT

WEB COPY

The Hon`ble Mrs.Justice PUSHPA SATHYANARAYANA

and

The Hon`ble Mrs.Justice S.KANNAMMAL

CMP(MD) No.99 of 2021

IN

CMA(MS) SR.No.83 of 2021

SIVARAMAN

... PETITIONER/APELLANT

Vs

MURUGESWARI

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 331 days in filing the Civil Miscellaneous Appeal as against the fair and ex order passed in I.A.No. 665 of 2019 in O.P.No. 707 of 2019 on the file of the Family Court, Madurai dated 04.01.2020.

PRAYER IN CMA(MS) SR.No.83 of 2021:

To set aside the fair and ex-order dated 04.01.2020 passed in I.A.No.665/2019 in O.P.No.707/2019 on the file of the Family Court, Madurai and allow the appeal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.SURESHKUMAR, Advocate for the petitioner, the court made the following order:-

(Order of the Court was made by **PUSHPA SATHYANARAYANA, J**)

This Petition is filed to condone the delay of 331 days in filing the above appeal against the fair and ex-order passed in I.A.No.665 of 2019 in O.P.No.707 of 2019, dated 04.01.2020, on the file of Family Court, Madurai.

2.Heard the learned counsel appearing for the Petitioner and perused the materials placed before this Court.

3.Upon perusing the averments contained in the accompanying affidavit and the reasons stated therein, this Court is of the view that the delay may be condoned on payment of costs.



4. Accordingly, this Petition is ordered and the delay of 331 days in filing the above appeal is condoned, on condition that the Petitioner/appellant pays a sum of Rs.3,000/- (Rupees three thousand only) towards costs to the respondent directly on or before **01.02.2021**, failing which, this Petition shall stand dismissed automatically, without further reference to this Court.

sd/-
18/01/2021

/ TRUE COPY /

/ /2021
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

The Judge,
Family Court, Madurai

ORDER
IN
CMP(MD) No.99 of 2021
IN
CMA(MS)SR.No.83 of 2021
Date :18/01/2021

vsn
JM/PN/SAR III/21.01.2021/2P/2C