



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

Wednesday, the First day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

C.M.P(MD)No.3656 of 2021

in

S.A(MD)SR.No.3430 of 2021

KALAISELVI

... PETITIONER/ APPELLANT

Vs

1 RAMAR

2 SUNDARAJ

3 MUTHURAJ

... RESPONDENTS/ RESPONDENTS

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 532 days in preferring the above Second Appeal against the Judgment and Decree passed in A.S.No.37 of 2015 on the file of Sub Court, Sanakarankovil Date 15-03-2019 confirming the judgment and decree passed dated 23-01-2015 in O.S.No.96 of 2012 on the file of Learned Additional District Munsif, Sankarankovil.

PRAYER IN S.A(MD)SR.No.3430 of 2021:

To prefer the Second Appeal against the judgment and Decree dated 15.3.2019 in A.S.No.37 of 2015 on the file of Learned Subordinate Judge, Sankarankovil confirming the Judgment and Decree dated 23.01.2015 in OS.No.96 of 2012 on the file of Learned Additional District Munsif, Sankarankovil.

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.S.PON SENTHIL KUMARAN, Advocate for the petitioner, the court made the following order:-

This Petition has been filed seeking to condone the delay of 532 days in preferring the above Second Appeal.

2.Heard, Mr.S.Pon Senthil Kumaran, learned counsel appearing for the Petitioner / Appellant and perused the materials placed before this Court. Though notice was served on Respondents 1 to 3 and their names being printed in the cause list, there is no representation on behalf of them, either in person or through



3.Considering the length of delay and the reasons assigned in paragraph No.4 of the accompanying affidavit, this Court is of the view that this petition may be ordered, on payment of costs.

4.In view of the above, this Petition is ordered and the delay of 532 days in filing the above Second Appeal is condoned, however, on condition that the Petitioner / Appellant pays a sum of Rs.1,000/-(Rupees One Thousand only) to the Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, bearing Account No.496039124 in Indian Bank, High Court Branch, Madurai, towards costs, within a period of one week from the date of receipt of a copy of this order, failing which, this Petition shall stand automatically dismissed, without further reference to this Court.

sd/-
01/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SUBORDINATE JUDGE,
SANKARANKOVIL.

2 THE ADDITIONAL DISTRICT MUNSIF,
SANKARANKOVIL.

COPY TO:
THE OFFICER INCHARGE,
ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
C.M.P (MD) No.3656 of 2021
in
S.A (MD) SR.No.3430 of 2021
Date :01/12/2021

rm
MK/JC/SAR.III/04.12.2021/2P/3C