



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

Tuesday, the Tenth day of August Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CMP(MD) No.1945 of 2021
in
S.A(MD)SR.NO.10283 of 2021

BACKIA LAKSHMI

... APPELLANT/ PETITIONER

Vs

1 SUNMUGASUNDARAM
2 MUNIALAKSHMI
3 SELVI
4 AMUTHA

... 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 256 days in filing this second appeal and direct the second appeal to be taken on file.

PRAYER IN S.A(MD)SR.NO.10283 of 2021:

To set aside the judgments and decrees made by the Sub Court, Sankarankovil in O.S.No.80 of 2010 passed on 26.07.2016 which was confirmed by a judgment and decree of the learned Principal District Judge, Tirunelveli dated 06.02.2019 in A.S.No.74 of 2016 and thereby allow this Second Appeal by decreeing the suit as prayed for.

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.F.X.EUGENE, Advocate for the petitioner, the court made the following order:-

This Petition has been filed seeking to condone the delay of 256 days in filing the above Second Appeal and to take the Second Appeal on file.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.Considering the length of delay and the reasons assigned in paragraph Nos.4 and 5 of the accompanying affidavit, this Petition is ordered and the delay of 256 days in filing the above Second Appeal is condoned, however, on condition that the Petitioner pays a sum of Rs.1,000/- (Rupees one thousand only) to the Legal Services



Committee attached to this Bench, towards costs, within a period of two weeks 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/-
10/08/2021

WEB COPY

/ 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

1 THE PRINCIPAL DISTRICT JUDGE,
TIRUNELVELI.

2 THE SUBORDINATE JUDGE,
SANKARANKOVIL.

COPY TO:

THE OFFICER INCHARGE,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. **(SOFT COPY)**

+1CC TO Mr.F.X.EUGENE, Advocate, SR NO.25926

ORDER

IN

CMP(MD) No.1945 of 2021 in

S.A(MD)SR.NO.10283 of 2021

Date :10/08/2021

VSN

MS/PN/SAR-2/13.08.2021/2P.4C