



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Monday, the Twenty Sixth day of July Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon'ble Mr. Justice A.A. NAKKIRAN

CMP (MD) No.5355 of 2021

IN

SA (MD) No. SR19645 of 2014

KUNJU PADAYACHI (DIED)

1 INDI RANI

2 KARPAGAM

... APPELLANTS/ APPELLANTS/
PLAINTIFFS

Vs

KALIYA MOORTHY @ KALIYAPERUMAL PADAYATCHI

... RESPONDENT/
RESPONDENT/DEFENDANT

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 2141 days in representing in SA.SR.(MD). No.19645 of 2014 and thus render justice.

Prayer in SA (MD) No. SR19645 of 2014:

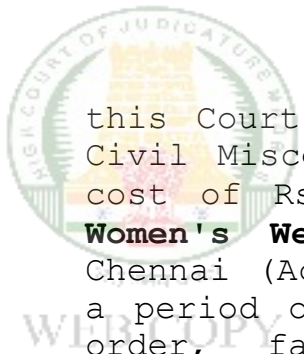
To set aside the judgment and decree dated 30.09.2013 made in A.S.No.08 of 2013 on the file of the learned Additional Sub Court, Kumbakonam, Thanjavur District confirming judgment and decree passed dated 14.09.2011 made in O.S.No.140 of 2008 on the file of the learned Principal District Munsif Court, Kumbakonam, Thanjavur District and allow this Second 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.G.GOMATHI SANKAR, Advocate for the petitioners, the Court made the following order:-

This petition has been filed by the petitioners seeking to condone the delay of 2141 in representing the second appeal.

2. Heard the learned counsel for the petitioners.

3. Considering the reasons stated in the affidavit filed in support of the petition and also considering the length of delay,



this Court is inclined to condone the delay and accordingly, this Civil Miscellaneous Petition is allowed subject to the payment of cost of Rs.3000/- (Rupees Three Thousand only) to the **credit of Women's Welfare Syndicate in Canara Bank**, Nungambakkam Branch, Chennai (Account No.60182010063310, IFSC Code: CNRB0016018), within a period of one week from the date of receipt of a copy of this order, failing which, the petition shall stand dismissed automatically without any further reference to this Court.

sd/-

26/07/2021

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/ /2021

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

TO

1. THE ADDITIONAL SUBORDINATE JUDGE,
KUMBAKONAM, THANJAVUR DISTRICT.
2. THE PRINCIPAL DISTRICT MUNSIF,
KUMBAKONAM, THANJAVUR DISTRICT.

COPY TO:

THE OFFICER INCHARGE,
PUBLIC CHARITABLE TRUST,
FLAT NO.GF1, CORDDEL APARTMENTS,
O.NO.13, N.NO.29,
PYCROFTS GARDEN LANE, CHENNAI-600006.

ORDER

IN

CMP(MD) No.5355 of 2021 IN

SA(MD) No.SR19645 of 2014

Date :26/07/2021

MSA/CP

SRS/JC/SAR-IV/30.07.2021/2P/4C