



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

Friday, the Second day of July Two Thousand and Twenty One

PRESENT

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

CMP(MD) No.2950 of 2021
in
S.A(MD).SR.No.15136 of 2021

AYYANAR (DIED),

... DEFENDANT/ APPELLANT/ NIL

1 PILLAYAR
2 AYYAMMAL
3 VELSAMY
4 PERIYASAMY
5 GANESAN
6 GURUVAYYA

... NIL/ NIL/ APPELLANTS

Vs

1 SARASWATHI
2 A.GANESH
3 A.MADHUMATHI

... PLAINTIFFS/ RESPONDENTS/
RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order to Condone the Delay 419 days in preferring the Second Appeal in SA (SR)No.15136 / 2021.

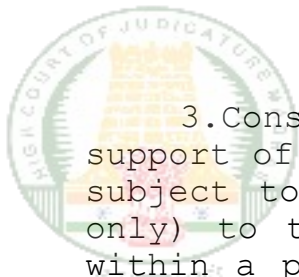
PRAYER IN S.A(MD).SR.No.15136 of 2021:

To set aside the judgment and decree passed by the Additional District Judge, Srivilliputtur in A.S.No.35 of 2012 dated 22.08.2019 upholding the judgment and decree passed by the Subordinate Judge, Srivilliputtur in O.S.No.107 of 2007 dated 04.11.2011 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 M/s.J.R.ANNIE ABINAYA, Advocate for the petitioners and of Mr.N.DILIP KUMAR, Advocate on behalf of the Respondents, the court made the following order:-

This petition has been filed by the petitioners seeking to condone the delay of 419 days in filing the Second Appeal.

2.Heard the learned counsel appearing on either side.



3.Considering the reasons stated in the affidavit filed in support of the petition, this Court is inclined to condone the delay subject to the payment of cost of Rs.1,000/- (Rupees One Thousand only) to the Legal Aid Service Authority, attached to this Bench, 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.

4.This petition is accordingly ordered.

5. In the event of payment of cost, the Registry is directed to number appeal, if it is otherwise in order.

sd/-
02/07/2021

/ 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

1 THE ADDITIONAL DISTRICT JUDGE,
SRIVILLIPUTTUR.

2 THE SUBORDINATE JUDGE,
SRIVILLIPUTTUR.

COPY TO:

THE OFFICER INCHARGE,
LEGAL AID SERVICE AUTHORITY
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.2950 of 2021 in
S.A(MD).SR.No.15136 of 2021
Date :02/07/2021

MSA/CP
MS/RSK/SAR-4/07.07.2021/2P.4C

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