



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

Thursday, the First day of July Two Thousand and Twenty One

PRESENT

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

CMP(MD) No.2907 of 2020
in
S.A(MD).SR.No.16148 of 2020

1 SAHUL HAMEED

2 NAGOOR NABEESHA

... PETITIONERS/ APPELLANTS

Vs

MOHAMMED MYDEEN

... 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 39 days in filing the second appeal.

PRAYER IN S.A(MD).SR.No.16148 of 2020:

To allow the second appeal by setting aside the judgment and decree passed in A.S.No.78 of 2015 dated 26.08.2019 on the file of the Additional Sub-Court, Tirunelveli confirming the judgment and decree passed in O.S.No.30 of 2012 dated 25.08.2015 on the file of the 2nd Additional District Munsif Court, Tirunelveli.

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.H.ARUMUGAM, Advocate for the petitioners and the respondent not appeared either in person or by an advocate, the court made the following order:-

This petition has been filed by the petitioners seeking to condone the delay of 39 days in filing the Second Appeal.

2.Heard the learned counsel for the petitioners. No representation for the respondent.

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 subject to the payment of cost of Rs.500/- (Rupees Five Hundred 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.Registry is directed to number the second appeal, if the papers are otherwise in order.

sd/-
01/07/2021

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

TO

1 THE ADDITIONAL SUBORDINATE JUDGE,
TIRUNELVELI.

2 THE 2ND ADDITIONAL DISTRICT MUNSIF,
TIRUNELVELI.

COPY TO:

THE OFFICER INCHARGE,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. **(SOFT COPY)**

ORDER
IN
CMP(MD) No.2907 of 2020 in
S.A(MD).SR.No.16148 of 2020
Date :01/07/2021

MSA/CP
MS/VR/SAR-1/05.07.2021/2P.3C