



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

Friday, the Thirtieth day of April Two Thousand and Twenty One

PRESENT

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

CMP(MD) No.3567 of 2021

IN

SA(MD) SR No.85384 of 2019

1 M/S.K.V.A.BROTHERS TRANSPORT
REP. BY ITS MANAGING PARTNER,
K.V.ALAGESAN

2 K.V.ALAGESAN

3 A. GOMATHI

... PETITIONERS/APPELLANTS

Vs

M/S.JAYARAM ENTERPRISES,
REP. BY ITS POWER OF ATTORNEY HOLDER,
V.BALASUBRAMANIAN

... 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 65 days in filing the above Second Appeal.

PRAYER IN SA(MD) SR No.85384 of 2019:

To set aside the judgment and decree dated 10.12.2018 passed in A.S.No.24 of 2017 on the file of the Principal District Judge's Court, Karur, confirming the judgment and decree dated 17.03.2017 passed in O.S.No.185 of 2009 on the file of the Principal Subordinate Judge's Court, Karur and to allow the 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.C.R.PRASANAN, 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 65 days in filing the Second Appeal.

2. Heard the learned counsel for the petitioners. There is no appearance on behalf of the respondent.



3.Considering the reasons stated in the affidavit filed in support of the petition and 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 Adyar Cancer Institute, Adyar, Chennai, through online payment within a period of one week from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without any further reference to this Court.

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

sd/-
30/04/2021

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

TO

1.THE PRINCIPAL DISTRICT JUDGE, KARUR.

2.THE PRINCIPAL SUBORDINATE JUDGE, KARUR.

COPY TO : THE OFFICER INCHARGE,
ADYAR CANCER INSTITUTE, ADYAR,
CHENNAI.

ORDER
IN
CMP (MD) No.3567 of 2021
IN
SA (MD) SR No.85384 of 2019
Date :30/04/2021

MSA
PK/AKM/SAR-IV/19.05.2021 : 2P/4C