



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.3987 of 2020
in
S.A(MD).SR.No.16292 of 2020

1 B.ARUMUGAM
2 MALARKODI
3 M.JAYARAJ

... PETITIONERS/ APPELLANTS

Vs

LOGASUNDARI

... 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 153 days in filing the Second Appeal against the judgment and decreetal order made in A.S.No.48 of 2018 dated 04.04.2019 by the learned Principal District Judge, Tiruchirapalli.

PRAYER IN S.A(MD).SR.No.16292 of 2020:

To set aside the judgment and decree passed by the learned Principal District Judge, Tiruchirappalli dated 04.04.2019 made in A.S.No.48 of 2018, confirming the judgment and decree passed by the learned Subordinate Judge, Lalgudi made in O.S.No.174 of 2018 dated 09.10.2018 and 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.M.SIDDHARTHAN, Advocate for the petitioner 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 153 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 PRINCIPAL DISTRICT JUDGE,
TIRUCHIRAPPALLI.

2 THE SUBORDINATE JUDGE,
LALGUDI.

COPY TO:

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

ORDER

IN

CMP(MD) No.3987 of 2020 in
S.A(MD).SR.No.16292 of 2020
Date :01/07/2021

MSA/CP

MS/MNR/SAR-3/05.07.2021/2P.3C