



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

Thursday, the Twenty Ninth day of April Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice AA.NAKKIRAN

CMP(MD)No.3499 of 2021

in

SA(MD)No.SR44984 of 2020

S.MUTHUKANI

... PETITIONER/APPELLANT

Vs

1 K.BALA GURUNATHA PERUMAL

2 DURAIKANI

... RESPONDENTS/RESPONDENTS

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 273 days in filing the above Second Appeal challenging the Decree and Judgment passed in A.S.No.85 of 2015 on the file of the Learned Additional Subordinate Judge, Tenkasi dated 20.02.2019.

PRAYER IN SA(MD)No.SR44984 of 2020:

To call for the records from the Courts below and set aside the Decree and Judgment in A.S.No.85 of 2015 passed by the learned Additional Subordinate Judge, Tenkasi dated 20.02.2019 modifying the Decree and Judgment in O.S.No.504 of 2009 passed by the learned Additional District Munsif Court, Tenkasi dated 04.08.2015 by allowing this Second Appeal.

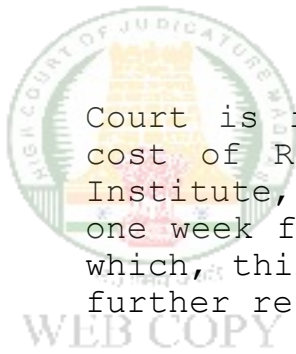
ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.ANANTH C. RAJESH, Advocate for the petitioner and the Respondents not appeared either in person or by an Advocate, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 273 days in filing the Second Appeal.

2. Heard the learned counsel for the petitioner. There is no representation for the respondents.

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

<https://hcservices.ecourts.gov.in/hcservices/>



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/-
29/04/2021

/ TRUE COPY /

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

TO

- 1 THE ADDITIONAL SUBORDINATE JUDGE, TENKASI.
- 2 THE ADDITIONAL DISTRICT MUNSIF, TENKASI.

COPY TO:

THE OFFICER INCHARGE,
ADYAR CANCER INSTITUTE, ADYAR, CHENNAI.

ORDER
IN
CMP(MD) No.3499 of 2021
in
SA(MD)No.SR44984 of 2020
Date :29/04/2021

cm/msa
AE/AKM/SAR-IV/18.05.2021/2P/4C