



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

Thursday, the Twenty Second day of April Two Thousand and Twenty One
PRESENT

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

CMP (MD) No.1233 of 2019

IN

SA (MD) No. SR240 of 2019

GNANASIGAMONY

... PETITIONER/APPELLANT

Vs

1 KAMALABAI

2 SANTHABAI

... 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 20 days in filing second appeal against A.S.No.37 of 2010 dated 11.07.2018 on the file of Principal District Judge, Kanyakumari at Nagercoil and thus render justice.

Prayer in SA (MD) No. SR240 of 2019:

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the Judgment and Decree passed in A.S.No.37 of 2010 dated 11.07.2018 on the file of Principal District Judge Kanniyakumari at Nagercoil confirming the Judgment and Decree passed in O.S. No.92 of 2005 dated 25.01.2010 on the file of the Subordinate Judge, Kuzhithurai and allow the second appeal and thus render justice.

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.S.SIVAKUMAR , Advocate for the petitioner and MR.T.ARUL Advocate for the first Respondent and the second respondent 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 20 days in filing the Second Appeal.

2. The learned counsel for the first respondent is present. There is no representation on behalf of the second respondent.

3. The learned counsel for the first respondent has no objection.

4. 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.500/- (Rupees five hundred



only) to the Legal Services Authority, attached to this Bench, 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.

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

sd/-
22/04/2021

/ TRUE COPY /

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

TO

1. THE PRINCIPAL DISTRICT JUDGE KANNIYAKUMARI AT NAGERCOIL.

2. THE SUBORDINATE JUDGE, KUZHITHURAI.

COPY TO

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

ORDER
IN
CMP (MD) No.1233 of 2019
IN
SA (MD) No. SR240 of 2019
Date : 22/04/2021

VB PN SAR-IV(27/04/2021) 2P / 4c