



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

Thursday, the Ninth day of December Two Thousand and Twenty One
PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) No.3012 of 2019

IN

SA(MD) SR.No.12176 of 2019

SHOE MAKERS COLONY,
REP. THRO, ORGANIZER,
S.P.PAULRAJ (EX COUNCILOR) DIED

SUBBURAJ

... PETITIONER/APPELLANT

Vs

1 A.V.GANESAN

2 VASANTHAL

... RESPONDENTS/RESPONDENTS

REPRESENTED THROUGH SON AND POWER
AGENT G.VENKATACHALAPATHI

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 157 days in filing the Second Appeal.

PRAYER IN SA(MD)SR.NO.12176 of 2019:

Pleased to set aside the judgment and decree dated 17.02.2017 passed in A.S.No.99 of 2013 on the file of the Principal Subordinate Judge, Madurai confirming the judgment and decree dated 08.07.2013 passed in O.S.No.1146 of 2006 on the file of the Additional District Munsif Madurai Town 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 M/S.R.KRISHNAN, Advocate for the petitioner and of Mr.N.P.RAVICHANDRAN, Advocate on behalf of the Respondents 1 & 2, the Court made the following order:-

This Petition has been filed seeking to condone the delay of 157 days in filing the above Second Appeal.

2.Heard the learned counsel appearing for the petitioner, learned counsel appearing for the respondents and perused the materials placed before this Court.

3.Considering the length of delay and the reasons assigned in paragraph Nos.3 and 4 of the accompanying affidavit, this Court is of the view that this petition may be ordered, on payment of costs.



4. In view of the above, this Petition is ordered and the delay of 157 days in filing the above Second Appeal is condoned, however, on condition that the Petitioner/ Appellant pays a sum of Rs.500/- (Rupees Five Hundred only) to the Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, bearing Account No.496039124 in Indian Bank, High Court Branch, Madurai, towards costs, within a period of one week from the date of receipt of a copy of this order, failing which, this Petition shall stand automatically dismissed, without further reference to this Court.

sd/-

09/12/2021

/ TRUE COPY /

/ /2021

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

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
MADURAI.

2 THE ADDITIONAL DISTRICT MUNSIF
MADURAI TOWN.

COPY TO:

THE OFFICER INCHARGE,
ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.3012 of 2019
IN
SA(MD) SR.No.12176 of 2019
Date : 09/12/2021

SS/JC/SAR-III/14.12.2021 : 2P/4C