



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

Friday, the Twenty Fourth day of September Two Thousand and
Twenty One

WEB COPY

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CMP(MD) No.4577 of 2021
in
SA(MD) SR.NO.26028 of 2019

A.VELAYUTHA THEVAR (DIED)

1. MUTHUKUTTY,

... PETITIONER/PETITIONER

Vs

INCORPORATED AND UNICORPORATED DEVASWOMS,
SUCHINDRUM,
RESPRESENTED BY ITS
EXECUTIVE OFFICER/DEPITY COMMISSIONER,
SUCHINDRUM, SUCHINDRUM VILLAGE,
AGASTHEESWARAM TALUK,
KANYAKUMARI DISTRICT.

... 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 650 days in making deficit court fee of Rs.17,950 in Second Appeal in S.A Sr.No. 26028 of 2019.

PRAYER IN S.A(MD) SR.No.26028 of 2019:

To set aside the Judgment and Decree passed in A.S.No.36 of 2014 dated 04.04.2019 on the file of the Principal District Court, Kanyakumari, confirming the Judgment and Decree Passed in O.S.No. 239 of 2010 dated 28.02.2014 on the file of the Second Additional Sub Court, Nagercoil and allow the above 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.V.P.RAJAN, Advocate for the petitioner, the court made the following order:-

This Petition has been filed seeking to condone the delay of 650 days in paying the deficit court fee of Rs.17,950/- in the above Second Appeal.

2.Heard the learned counsel appearing for the petitioner.
<https://heservices.hc.madras.gov.in/heservices/>
through notice has been served on the respondent, proof also filed



and name printed in the cause list, none appeared on behalf of the respondent.

3.Considering the facts and circumstances of the case, this Petition is ordered and the delay of 650 days in paying the deficit court fee in the above Second Appeal is condoned on condition that the Petitioner pays a sum of Rs.2,000/- (Rupees Two Thousand) to the Advocates Welfare Fund, Madurai Bench of Madras High Court, bearing Account No.7087208431 in Indian Bank, High Court Branch, Madurai, towards costs, within a period of two weeks 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/-

24/09/2021

/ TRUE COPY /

/ /2021

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

rm

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 JUDGE,
PRINCIPAL DISTRICT COURT,
KANYAKUMARI.
2. THE II ADDITIONAL SUB COURT,
NAGERCOIL.

COPY TO

THE OFFICER INCHARGE,
ADVOCATE WELFARE FUND,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP(MD) No.4577 of 2021

AND

S.A(MD) SR.No.4547 of 2019

Date :24/09/2021

PKP/VR/SAR-4/29.09.2021/2P/4C