



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

Thursday, the Twenty Third day of December Two Thousand and
Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) No.3816 of 2019
IN
SA(MD) No.SR.2328 of 2019

SUBBIAH

... APPELLANT/APPELLANT/PLAINTIFF

Vs

KULANDAIVEL THEVAR (DIED)

... RESPONDENT/RESPONDENT/DEFENDANT

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 144 days in preferring the above appeal against the judgment of the Sub Court Valliyoor AS No.34 of 2010 and dated 28.04.2018.

PRAYER IN SA(MD)SR.No.2328 of 2019:

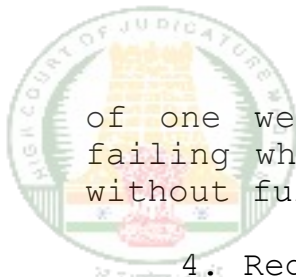
Pleased to allow this second appeal by setting aside the judgment and decree passed by the Sub-Court, Valliyoor in A.S.No.34 of 2010 dated 28.04.2018 confirming the judgment and decree passed by the District Munsif Cum Judicial Magistrate Court, Naguneri in O.S.No. 97 of 2002 dated 03.02.2007.

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.KARTHIKEYAN, Advocate for the petitioner, the court made the following order:-

This Petition has been filed seeking to condone the delay of 144 days in preferring the above Second appeal.

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

3.In view of the same, this petition is ordered and the delay of 144 days in filing the above Second Appeal is condoned on condition that the Petitioner pays a sum of Rs.500/- (Rupees Five Hundred only) as costs to the Government Higher Secondary School, Y. Othakadai, Madurai, (Current Account No.10968750674, State Bank of India, Valluvar Branch, IFSC Code No.SBIN0000253) within a period



of one week from the date of receipt of a copy of this order, failing which, these petitions shall stand automatically dismissed, without further reference to this Court.

4. Registry is directed to number the appeal, if the papers are otherwise in order and list the matter in the usual course.

sd/-

23/12/2021

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/ /2021

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

TO

- 1 THE SUBORDINATE JUDGE,
VALLIYOOR.
- 2 THE DISTRICT MUN SIF CUM
JUDICIAL MAGISTRATE,
NAGUNERI.

COPY TO

THE HEADMASTER,
GOVERNMENT HIGHER SECONDARY SCHOOL,
Y. OTHAKADAI,
MADURAI,

ORDER

IN

CMP (MD) No.3816 of 2019

IN

SA(MD) No.SR2328 of 2019

Date :23/12/2021

AAV

PKP/JC/SAR-1/29.12.2021/2P/4C