



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

Thursday, the Second day of September Two Thousand and Twenty One

PRESENT

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

CMP (MD) No.6507 of 2021

AND

SA (MD) SR.No.19645 of 2014

KUNJU PADAYACHI (DIED)

1.INDI RANI

2 KARPAGAM

... APPELLANTS/APPELLANTS/PLAINTIFFS

Vs

KALIYA MOORTHY @KALIYAPERUMAL PADAYATCHI

... 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 2195 days in paying deficit Court fee amount of Rs.5,000/- in S.A.S.R(MD)No.19645 of2014.

Prayer in SA(MD)SR.No.19645 of 2014:

To set aside the judgment and decree dated 30.09.2013 made in A.S.No.08 of 2013 on the file of the learned Additional Sub Court, Kumbakonam, Thanjavur District confirming judgment and decree passed dated 14.09.2011 made in O.S.No.140 of 2008 on the file of the learned Principal District Munsif Court, Kumbakonam, Thanjavur District and allow 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.G.GOMATHI SANKAR, Advocate for the Appellants and of Mr.R.DEVARAJ, Advocate for Respondent, the court made the following order:-

This petition has been filed to condone the delay of 2195 days in paying the deficit Court fee of Rs.5,000/- in the above Second Appeal.

2. Heard the learned counsel for the petitioners and the respondent.



3. Taking into consideration of the reasons stated in the affidavit filed in support of this petition and also considering the age of the petitioners, this Court is inclined to condone the delay in paying the deficit Court fee in the above Second Appeal, but on terms.

4. This petition will be allowed on payment of cost of Rs.1,000/- (Rupees One Thousand Only) to the Legal Services Authority attached to the Madurai Bench of Madras High Court, Madurai, within a 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.

sd/-
02/09/2021

/ TRUE COPY /

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

TO

1. THE ADDITIONAL SUBORDINATE JUDGE,
KUMBAKONAM, THANJAVUR DISTRICT.
2. THE PRINCIPAL DISTRICT MUNSIF,
KUMBAKONAM, THANJAVUR DISTRICT.

COPY TO:

THE OFFICER INCHARGE,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. **(SOFT COPY)**

**ORDER
IN**

CMP (MD) No.6507 of 2021
AND
SA (MD) SR.No.19645 of 2014
Date :02/09/2021

SA/VR/SAR.2/07.09.2021/2P/3C