



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

Friday, the Thirtieth day of July Two Thousand and Twenty One

WEB COPY

PRESENT

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

C.M.P (MD) No.6090 of 2021
and
S.A. (MD) No.SR29706 of 2017

FARITHA

... PETITIONER/APPELLANT

Vs

1 S.M.A.SHEIK ABDUL KADER
(REP.THROUGH HIS POWER AGENT
S.M.MOHAMED UDHUMAN ALI)

2 A. MOHAMED ABOOBAKER

... 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 963 days in representing the S.A.(MD) SR.No.29706 of 2017 on the file of this Honourable Court.

PRAYER IN S.A. (MD) No.SR29706 of 2017:

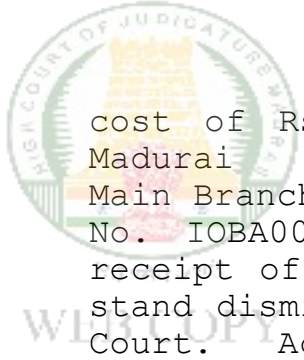
To set aside the judgment and decree dated 05.10.2013 made in A.S.No.30 of 2012 on the file of Principal District Judge, Tirunelveli, partly reversing the judgment and decree dated 31.01.2011 made in O.S.No.22 of 2008 on the file of Additional Sub Judge, Tirunelveli and to dismiss the said Suit with costs throughout.

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.A.ARUMUGAM for M/S.AJMAL ASSOCIATES for the petitioner, the court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 963 days in representing the above Second Appeal.

2. Heard the learned counsel for the petitioner.

3. Considering the reasons stated in the affidavit filed in support of the petition and considering the length of delay, this Court is inclined to condone the delay subject to the payment of



cost of Rs.1000/- (Rupees One Thousand only) to the credit of Madurai Charitable Trust, Indian Overseas Bank, Main Branch, Madurai-625 001, Account No.004902000004287, IFSC Code No. IOBA0000049 within a period of two weeks from the date of receipt of a copy of this order, failing which, the petition shall stand dismissed automatically without any further reference to this Court. Accordingly, this Civil Miscellaneous Petition is allowed.

Sd/-
30/07/2021

/ TRUE COPY /

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

TO

- 1.THE PRINCIPAL DISTRICT JUDGE, TIRUNELVELI.
- 2.THE ADDITIONAL SUB JUDGE, TIRUNELVELI.

Copy to:

THE OFFICER INCHARGE,
MADURAI CHARITABLE TRUST,
NEW NO.154, OLD NO.206,
EAST VELI STREET, FIRST FLOOR,
NEAR DEVAKI SCAN, MADURAI-625 001.

ORDER
IN
C.M.P(MD)No.6090 of 2021
and
S.A.(MD)No.SR29706 of 2017
Date :30/07/2021

VB/JM/SAR.II/05.08.2021/2P/4C