



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

Thursday, the Twenty First day of October Two Thousand and
Twenty One

WEB COPY

PRESENT

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

C.M.P (MD)No.8562 of 2021
in
S.A (MD) SR.No.52322 of 2018

SHANMUGAM PILLAI (DIED)

1. KRISHNA PILLAI
2. ARUMUGAM

... PETITIONERS/APPELLANTS

Vs

- 1 CHELLAMMAL
- 2 VALLIAMMAL
- 3 VELAMMAL
- 4 RAJALAKSHMI
- 5 K. RADHAKRISHNAN
- 6 K. SANKARAM
- 7 M. BALASUBRAMANIAN

... 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 692 DAYS IN REPRESENTING the main Second Appeal in S.A.SR.(MD)No. 52322 of 2018 on the file of this Honourable Court.

Prayer in S.A(MD) SR.No.52322 of 2018:

To allow this Second Appeal by setting aside the judgment and decree dated 19.07.2018 made in A.S. No.17 of 2012 on the file of Principal District Court, Kanyakumari District at Nagercoil, confirming the judgment and decree dated 31.10.2011 made in O.S. No.62 of 2006 on the file of Ist Additional Sub Court, Nagercoil and decree the Suit with cost.

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

This Petition has been filed seeking to condone the delay of 692 days in representing the appeal papers in the above Second Appeal.



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

3. For the reasons assigned in Paragraph No.7 of the accompanying affidavit and also considering the length of delay, 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 692 days in representing the above Second Appeal is condoned on condition that the Petitioner pay a sum of Rs.1,000/- (Rupees One Thousand only) 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 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/-

21/10/2021

/ 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 DISTRICT JUDGE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

2. THE IST ADDITIONAL SUBORDINATE JUDGE, NAGERCOIL.

COPY TO
THE OFFICER INCHARGE
ADVOCATES WELFARE FUND,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1cc to MR.R.MURUGAN, Advocate SR.No.7289

ORDER

IN

C.M.P (MD) No.8562 of 2021
in

S.A (MD) SR.No.52322 of 2018

Date : 21/10/2021