



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

Wednesday, the Fifteenth day of December Two Thousand and Twenty One

PRESENT

WEB COPY

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) No.5731 of 2020

in

SA(MD) SR.No.3025 of 2015

NIRMALA RANI

REP BY HER HUSBAND AND POWER AGENT

R.RAJKUMAR

... PETITIONER/APELLANT

Vs

TIRUCHIRAPPALLI CO-OPERATIVE HOUSE,

CONSTRUCTION SOCIETY LTD.,

REPRESENTED BY ITS SECRETARY,

MAKKAL MANDRAM, THILLAI NAGAR,

TIRUCHIRAPPALLI - 18.

... 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 1878 days in representing the above second appeal in S.A. S.R. No. 3025 of 2015.

PRAYER IN SA(MD) No.3025 of 2015:

Pleased to set aside the judgment and decree dated 25.09.2014 passed in A.S.No.184 of 2011 on the file of Learned 1st Additional Subordinate Judge, Tiruchirappalli confirming the fair and decreetal order dated 05.02.2010 passed in I.A.No.745 of 2009 in O.S.No.281 of 2009 on the file of Learned Principal District Munsif Court, Tiruchirappalli.

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 M/S.M.P.SENTHIL, Advocate for the petitioner and of Mr.G.SURIYA ANANTH, Additional Government Pleader on behalf of the Respondent, the Court made the following order:-

This Petition has been filed seeking to condone the delay of 1878 days in representing the appeal papers in the above Second Appeal.

2.Heard Mr.M.P.Senthil, learned counsel appearing for the Petitioner and Mr.G.Suriya Ananth, learned Additional Government Pleader appearing for the respondent and perused the materials placed before this Court.



3. For the reasons assigned in Paragraph Nos.4 and 5 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.

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4. In view of the above, this Petition is ordered and the delay of 1878 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 Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, bearing Account No.496039124 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/-

15/12/2021

/ 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 I ADDITIONAL SUBORDINATE JUDGE,
TIRUCHIRAPPALLI.

2 THE PRINCIPAL DISTRICT MUNSIF,
TIRUCHIRAPPALLI.

COPY TO:

THE OFFICER INCHARGE,
THE ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP(MD) No.5731 of 2020

in

SA(MD) SR.No.3025 of 2015

Date : 15/12/2021

SS/JC/SAR-II/20.12.2021 : 2P/4C

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