



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

Monday, the Sixth day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) No.7745 of 2021
in
SA(MD) SR.No.23617 of 2021

NAGASUNDARAM

... PETITIONER/APELLANT

Vs

MARIUM DHAGA

... 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 673 days in filing the above second appeal.

PRAYER IN SA(MD) SR.NO.23617 of 2021:

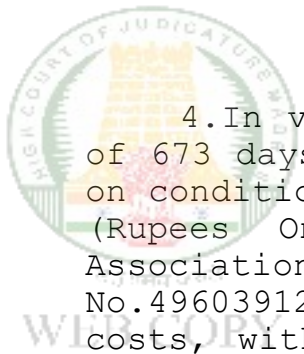
To set aside the Judgment and Decree dated 19.02.2019 made in A.S.No. 33 of 2014 the file of the Subordinate Judge, Ramanathapuram conforming the judgment and decree dated 19.07.2013 made in O.S.No.20 of 2008 on the file of the District Munsif court, Ramanathapuram.

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.S.GOKULRAJ, Advocate for the petitioner and the respondent not appearing either in person or by an advocate, the court made the following order:-

This Petition has been filed seeking to condone the delay of 673 days in filing the above Second Appeal.

2.Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court. Though notice was served on the respondent and her name being printed in the cause list, there is no representation on behalf of her, either in person or through counsel.

3.Considering the length of delay and the reasons assigned in paragraph No.3 of the accompanying affidavit, 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 673 days in filing the above Second Appeal is condoned, however, on condition that the Petitioner/ Appellant pays 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/-

06/12/2021

/ TRUE COPY /

/ /2021

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

RM

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 SUBORDINATE JUDGE,
RAMANATHAPURAM.
- 2 THE DISTRICT MUNSIF COURT,
RAMANATHAPURAM.

COPY TO

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

ORDER
IN
CMP(MD) No.7745 of 2021
IN
SA(MD) SR.NO.23617 of 2021
Date :06/12/2021

PKP/JM/SAR-3/09.12.2021/3P/4C