



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

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

WEB COPY

PRESENT

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

CMP(MD) .No.8616 of 2021
in
SA(MD) .Sr.No.47767 of 2018

KARUPPASAMY ... PETITIONER/PETITIONER/APPELLANT

Vs

1 JAYALAKSHMI
2 GOMATHI
3 SUBRAMANIAN
4 VELRAJ

... RESPONDENTS/RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set-aside the order dated 02.09.2021 passed in C.M.P.(MD).No. 6809 of 2021 in S.A.(MD) SR.No. 47767 of 2018 on the file of this Honourable Court and RESTORE the same, which was dismissed for nonpayment of cost of Rs. 500/- to the legal service authority within time to this Honourable Court.

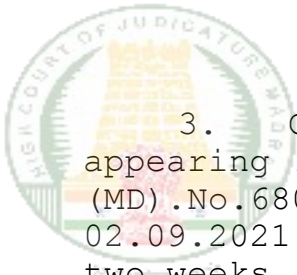
PRAYER IN SA(MD) SR.No.47767 of 2018:

To set aside the judgment and Decree dated 19.02.2018 passed in A.S.No.47 of 2016 And Cross Objection in A.S.No.47 of 2016 on the file of the Additional District Judge(Fast Track), Tenkasi, modifying the Judgment and Decree dated 07.06.2016 passed in O.S.No.161 of 2010 on the file of the Principal Sub Court, Tenkasi by allowing 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.D.NALLATHAMBI, Advocate for the petitioner the court made the following order:-

Heard the learned counsel for the petitioner.

2. The learned counsel appearing for the petitioner would submit that due to the oversight he was unable to pay the cost within the time and therefore, he filed the present petition to restore the CMP(MD).No.6809 of 2021 in SA(MD).SR.No.47767 of 2018.



3. Considering the submission made by the learned counsel appearing for the petitioner, the time granted by this Court in CMP (MD).No.6809 of 2021 in SA(MD).SR.No.47767 of 2018, dated 02.09.2021 to pay the cost of Rs.500/- is extended for a period of two weeks.

4. Accordingly, this petition is allowed on condition that the petitioner shall pay a further sum of Rs.500/- (Rupees Five Hundred only) to the Legal Services Authority attached to the Madurai Bench of Madras High Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order.

sd/-
28/10/2021

/ TRUE COPY /

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

TO

1.THE ADDITIONAL DISTRICT JUDGE (FAST TRACK),
TENKASI.

2.THE PRINCIPAL SUBORDINATE JUDGE,
TENKASI.

COPY TO:

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

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-7757[I] dated 01/11/2021)

ORDER
IN
CMP (MD) .No.8616 of 2021
in
SA (MD) .Sr.No.47767 of 2018
Date :28/10/2021

VB/JM/SAR-III/08.11.2021/2P/4C