



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

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

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA
CMP(MD) No.8599 of 2021

IN

SA(MD) SR No.76885 of 2019

1 VADIVEL

2 GANESAN

... PETITIONERS/PETITIONERS

Vs

NAGARAJAN

... 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 119 days in representing the S.A. (MD)SR. No. 76885 of 2019 on 04.11.2019 on the file of this Honourable Court.

PRAYER IN SA(MD) SR No.76885 of 2019:

Pleased to set aside the judgment and decree order dated 04.07.2019 in A.S.No.94 of 2017 passed by the Hon'ble Subordinate Judge, Aranthangi confirming the Judgment and decree dated 24.11.2015 O.S.No.9 of 2012 on the file of the District Munsif Court, Aranthangi and to allow the present Second Appeal.

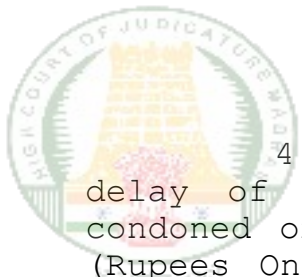
ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.BAALASUNDHARAM, Advocate for the petitioner, the Court made the following order:-

This Petition has been filed seeking to condone the delay of 119 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.2 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.

<https://hcservices.ecourts.gov.in/hcservices/>



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 SUBORDINATE JUDGE,
ARANTHANGI.

2 THE DISTRICT MUNSIF,
ARANTHANGI.

COPY TO:

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

ORDER

IN

CMP(MD) No.8599 of 2021

IN

SA(MD) SR No.76885 of 2019

Date : 21/10/2021

SS/SKN/SAR-IV/26.10.2021 : 2P/4C