



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.9308 of 2021
in
SA(MD) SR.No.11718 of 2015

PRAKATHAMBAL,

... PETITIONER/APELLANT

Vs

BASKAR (DECEASED),
1 VASANTHA,

2 VIJAYA,

... 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 1813 days in representing the Second Appeal in S.A.S.R(MD)No. 11718 of 2015.

PRAYER IN SA(MD)SR.No.11718 OF 2015:

To set aside the judgment decree passed dated 18.09.2014 made in A.S.No. 9 of 2012 on the file of the Principal Sub Court, Kumbakonam, confirming the judgment and decree passed dated 31.01.2012 made in O.S.No. 595 of 2009 on the file of the Principal District Munsif, Kumbakonam and allow 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.G.GOMATHI SANKAR, Advocate for the petitioner and of MR.R.SURIYANARAYANAN, Advocate on behalf of the Respondents 1 and 2, the court made the following order:-

This Petition has been filed seeking to condone the delay of 1813 days in representing the appeal papers in the above Second Appeal.

2.Heard Mr.G.Gomathi Sankar, learned counsel appearing for the Petitioner and Mr.R.Suriyanarayanan, learned counsel appearing for the respondents and perused the materials placed before this Court.

3.For the reasons assigned in Paragraph No.4 of the accompanying affidavit and also considering the length of delay, this Court is of the view that this Petition may be ordered, on

<https://hcservices.ecourts.gov.in/hcservices/>
payment of costs.



4. In view of the above, this Petition is ordered and the delay of 1813 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/-

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 PRINCIPAL SUBORDINATE JUDGE,
KUMBAKONAM.

2 THE PRINCIPAL DISTRICT MUNSIF,
KUMBAKONAM.

COPY TO

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

ORDER

IN

CMP(MD) No.9308 of 2021

in

SA(MD) SR.No.11718 of 2015

Date :06/12/2021

RM

PKP/JM/SAR-3/10.12.2021/2P/4C