



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

Monday, the Fourth day of October Two Thousand and Twenty One

WEB COPY

PRESENT

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

CMP(MD) No.10163 of 2018

IN

CMSA(MD) No.SR46451 of 2017

THIRUMENI

... PETITIONER/APPELLANT

Vs

VENNILA

... 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 294 days in paying the deficit court fee of Rs.40/- in CMSA (MD)SR No.46451 of 2017

PRAYER IN CMSA(MD) No.SR46451 of 2017:

To call for the records in H.M.O.P.No.211 of 2009 dated 28.10.2015 on the file of Sub Court, Pudukottai which in turn confirmed in C.M.A.No.7 of 2015 dated 07.03.2017 on the file of Principal District Judge, Pudukottai and set aside them by allowing this CMSA.

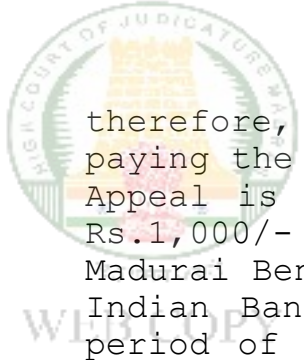
ORDER :This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.N.BALAKRISHNAN, Advocate for the petitioner and of MR.M.M.IQBAL, Advocate on behalf of the Respondent, the court made the following order:-

This Petition has been filed seeking to condone the delay of 294 days in paying the deficit court fee of Rs.40/- in the above Civil Miscellaneous Second Appeal.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.Mr.M.M.Iqbal, learned counsel appearing for the respondent would submit that he has no objection to allow this petition.

4.Considering the facts and circumstances of the case, this Court is of the opinion that the matter was returned during the year 2017 and it has been represented only in the year 2018 and



therefore, this Petition is ordered and the delay of 294 days in paying the deficit court fee in the above Civil Miscellaneous Second Appeal is condoned on condition that the Petitioner pays 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 three weeks 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/-
04/10/2021

/ 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, PUDUKOTTAI.
2. THE PRINCIPAL DISTRICT JUDGE,
PUDUKOTTAI.

COPY TO

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

ORDER
IN
CMP (MD) No.10163 of 2018
IN
CMSA (MD) No.SR46451 of 2017
Date : 04/10/2021

VB/SKN/SAR-I/07.10.2021/2P/4C