



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the Twenty Second day of April Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE S.S.SUNDAR

CMP.NO.7234 OF 2022

IN SA.SR.NO.60512 OF 2019

ARULMIGU THEETHAPALEESWARAR [PETITIONER]
THIRUKOIL, REP.BY ITS EXECUTIVE OFFICER,
HAVING OFFICE AT NO.160, NATESAN ROAD,
TRIPPLICANE, CHENNAI 600 005.

Vs

1 K.CHANDRASEKARAN [RESPONDENTS]
2 C.SIVAJI ANAND
3 C.BALAJI ANAND
4 S.VIJAYARAGAVAN

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 994 days caused in representing the second appeal papers in S.A.SR.No.60512 of 2019 and to received the same on the files of this Hon'ble Court (CMP.NO.7234/2022)

Order : This Miscellaneous petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.D.RAMALINGAM, Advocate for the petitioner, the court made the following order:-

This petition is filed to condone the delay of 994 days in representing the papers in the above second appeal.

2. Heard Mr.S.D.Ramalingam, learned counsel for the petitioner.

3. This Court is convinced with the reasons stated in the affidavit filed in support of the petition. This Court is also of the view that the delay could have been avoided by showing due diligence and the element of negligence can be inferred even though it may not be wilful. Hence, this Court is inclined to allow this petition subject to terms.



4. Accordingly, the Civil Miscellaneous Petition is ordered and delay of 994 days in representing the above second appeal is condoned subject to condition that the petitioner pays a sum of Rs.2,500/- (Rupees Two Thousand Five Hundred Only), to the Tamil Nadu State Legal Services Authority, Chennai, within a period of two weeks from the date of receipt of a copy of this order.

-sd/-
22/04/2022

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE V ADDITIONAL JUDGE,
CITY CIVIL COURT, CHENNAI.

2 THE VIII ASSISTANT JUDGE,
CITY CIVIL COURT, CHENNAI.

COPY TO:

THE SECRETARY,
TAMIL NADU STATE LEGAL SERVICES AUTHORITY,
HIGH COURT BUILDING, HIGH COURT,
MADRAS - 600 104.

Order
in
CMP.NO.7234 OF 2022

IN SA.SR.NO.60512 OF 2019

Date :22/04/2022

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PM(28/04/2022)