



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Eighth day of March Two Thousand Twenty Two

PRESENT

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

CMP.No.3289 of 2022

in SA.SR.No.104134 of 2019

V. BHOOPALAN

[PETITIONER]

S/O VEERA GOUNDER, PLOT NO.88,
PUDHU YERI MAIN ROAD, SAI BABA AVENUE,
KANNANKURICHI VILLAGE, SALEM.

Vs

1 E.RAJA @ LOGANATHAN
S/O ELUMALAI GOUNDER

[RESPONDENTS]

2 RAMU
S/O E.RAJA @ LOGANATHAN

3 MOHAN KUMAR
S/O E.RAJA @ LOGANATHAN

4 MINOR DHANALAKSHMI
D/O E.RAJA @ LOGANATHAN
REP BY GUARDIAN AND FATHER 1ST DEFENDANT
E.RAJA @ LOGANATHAN

ALL RESIDING AT 1-5/30,
PANNAIYER SUBBARAYAN STREET,
SALEM 8

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone in paying the court fee delay of 874 days in representing the papers in S.A.S.R.No.104134 of 2019.(CMP.No.3289 of 2022)

Order : This 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.J.FRANKLIN, Advocate for the petitioner, the court made the following order:-

The present miscellaneous petition is filed to condone the delay of 874 days in representing the Second Appeal.



2. This Court heard the learned counsel for the petitioner and perused the affidavit filed in support of this miscellaneous petition.

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3. Though the petitioner has given sufficient reasons for the delay in representing the Second Appeal, this Court is of the view that the delay could have been avoided if the petitioner has shown due diligence.

4. Hence, this Court is inclined to allow this petition on terms.

5. Accordingly, the Civil Miscellaneous Petition is ordered and the delay of 874 days in representing the Second Appeal is condoned subject to the condition that the petitioner shall pay a sum of Rs.2,500/- [Rupees Two Thousand Five Hundred only] to the Tamil Nadu State Legal Services Authority, High Court, Madras within a period of two weeks from the date of receipt of a copy of this order.

-sd/-
08/03/2022
/ TRUE COPY /

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

TO

1 THE 1ST ADDITIONAL SUBORDINATE
JUDGE, SALEM.

2 THE 1ST ADDITIONAL DISTRICT
JUDGE, SALEM.

COPY To

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

Order
in
CMP.No.3289 of 2022

in SA.SR.No.104134 of 2019

Date :08/03/2022

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GS (08/03/2022) (IT)