



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Thirty First day of March Two Thousand Twenty Two

PRESENT

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

CMP.No.5452 of 2022

in SA.SR.No.2695 of 2020

K.MARIAPPAN, [PETITIONER]
S/O.KANDASAMY, 5/81-A, NARAYANAN KADU,
ERUMAPALAYAM, SALEM DISTRICT-636 015.

Vs

S.A.SYED NIYAZ, [RESPONDENT]
S/O.SIRAJ, REP. BY POWER OF ATTORNEY
MR.SYED AHMED, NO.44, JANIAN STREET,
FORT, SALEM 636 001.

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 784 days in representing the cause papers in SA Sr.No.2695 of 2020 (in CMP.No.5452 of 2022).

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.S.VIJAYA RAGHAVAN, Advocate for the petitioner, the court made the following order:-

The present miscellaneous petition is filed to condone the delay of 784 days in representing the Second Appeal.

2.Though the delay is huge, the petitioner has given convincing reasons in the affidavit filed in support of this petition. The delay has been properly explained to the satisfaction of this Court. However, the delay could have been avoided if the petitioner has shown due diligence in contacting his counsel. Hence, this Court is inclined to allow this petition subject to terms.



3. Accordingly, the Civil Miscellaneous Petition is **ordered** and the delay of 784 days in representing the Second Appeal is **condoned on 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, High Court, Chennai**, within a period of two weeks from the date of receipt of a copy of this order.

-sd/-

31/03/2022

/ TRUE COPY /

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

TO

1 THE I ADDITIONAL DISTRICT MUNSIF,
SALEM.

2 THE I ADDITIONAL SUBORDINATE JUDGE,
SALEM.

COPY TO

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

Order

in
CMP.No.5452 of 2022

in SA.SR.No.2695 of 2020

Date :31/03/2022

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