



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Twenty Third day of February Two Thousand Twenty Two

PRESENT

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

CMP.No.11094 of 2020

IN SA.SR.No.36177 of 2020

SECRETARY

[PETITIONER]

PRIMARY AGRICULTURE COOPERATIVE SOCIETY
VEERAPERUMANALLUR VILLAGE AND POST,
PANRUTI TALUK, CUDDALORE DISTRICT.

Vs

1 K.LAKSHMI

[RESPONDENTS]

W/O KUPPUSAMY,
ESWARAN KOIL STREET,
VEERAPERUMANALLUR VILLAGE AND POST,
PANRUTI TALUK, CUDDALORE DISTRICT.

2 THE DEPUTY REGISTRAR

COOPERATIVE SOCIETIES CUDDALORE.

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 158 days in filing the second appeal as against the Judgment and Decree dated 29-04-2019 made in A.S. No.9 of 2017 on the file of the Court of the Subordinate Judge, Panruti confirming the Judgment and Decree dated 27-01-2017 made in O.S.NO. 12 of 2012 on the file of the Court of the District Munsif, Panruti (CMP.No.11094/2020)

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.V.SUGUNA, Advocate for the Petitioner and of M/S.R.MEENAL, Advocate for the Respondents, the court made the following order:-

The above miscellaneous petition is filed to condone the delay of 158 days in filing the Second Appeal.



2.This Court finds that the petitioner has not properly given reasons for the delay. The petitioner is an Agricultural Cooperative Society and the delay is justified by citing administrative reasons which is not acceptable.

3.Though this Court gave permission to the learned counsel for the petitioner to file a better affidavit, the petitioner has not complied with the said direction.

4.Learned counsel for the petitioner submitted that a better affidavit could not be filed on account of the ill-health of the learned counsel on record.

5.Though this Court finds no reason to allow the petition without a better affidavit, having regard to the fact that the delay is only 158 days, is inclined to allow this petition on terms.

6.Accordingly, the petition seeking condonation of delay of 158 days in filing the Second Appeal is **ordered on condition that the petitioner pays a sum of Rs.5,000/- [Rupees Five Thousand only] to the learned counsel for the respondent within a period of two weeks from the date of receipt of a copy of this order.**

-sd/-
23/02/2022

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF,
PANRUTI.

2 THE SUBORDINATE JUDGE,
PANRUTI.



COPY TO

MS.R.MEENAL,
51, LAW CHAMBERS,
HIGH COURT BUILDINGS,
CHENNAI - 104
PH NO.9840667733.

Order
in
CMP.No.11094 of 2020

IN SA.SR.No.36177 of 2020

Date :23/02/2022

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
TP (28/02/2022)