



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Civil Appellate Jurisdiction)

Monday, the Twenty Fourth day of January Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE G.CHANDRASEKHARAN

C.M.P.No.23676 of 2018

IN SA.SR.No.62480 of 2018

ANANDAN (DIED) BY HIS LRS [PETITIONERS]

1 ANNALAKSHMI

2 PANCHALI

3 PARAMESWARI

RESIDING AT,
GEEDALWADI VILLAGE, THIRUVANGADU POST,
TIRUTTANI TALUK.

Vs

1 KANNAN [RESPONDENTS]

2 GIRI

3 SURESHBABU

4 DILLIBABU

5 PATTAMMAL (DIED)

RESIDING AT No.61/20,
PERUMALKOIL STREET,
OLD LAKHMANAPURAM VILLAGE,
KOLATHUR, (VIA) PUZHAL, CHENNAI-99.

(R5 DIED-RR1 TO 4 LRS OF THE DECEASED R5 AS PER THE MEMO DATED 28/01/2019 AND VIDE COURT ORDER DATED 28/01/2019 MADE IN CMP 23676/18 IN SA.SR 62480/18 CPTAJ)

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 163 days in filing the above Second Appeal against the common judgment and Decree of the Sub-Ordinate Judge,



Tiruttani dated 08.09.2017 made in A.S.No.1/2016 confirming the Decree and Judgment dated 17.07.2015 in O.S.No.107/2006 on the file of the District Munsiff Court at Tiruttani (IN C.M.P.No.23676/2018)

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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.D.ASHOK KUMAR, Advocate for the Petitioners, the court made the following order:-

This petition is filed to condone the delay of 163 days in filing SA.SR.No.62480 of 2018.

2.The learned counsel for the petitioners submitted that due to financial status and health issues, the Second Appeal could not be filed in time. Therefore, there is a delay of 163 days in filing SA.SR.No.62480 of 2018.

3. Learned counsel for the Respondents has no serious objection for allowing this petition on payment of nominal costs.

4. It is seen that already C.M.P.No.22727 of 2018 was allowed by condoning the delay of 114 days in paying the deficit court fee.

5. Accepting the reasons stated by the petitioners, this petition is allowed and the delay of 163 days in filing SA.SR.No.62480 of 2018 is condoned subject to the condition on payment of costs of Rs.500/- (Rupees Five hundred only) to the respondents within a period of two weeks from today, failing which, the petition shall stand dismissed automatically without any further reference to this Court.

-sd/-

24/01/2022

/ TRUE COPY /

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

TO

1 THE SUBORDINATE JUDGE,
TIRUTTANI.



2 THE DISTRICT MUNSIF,
TIRUTTANI.

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Order
in
C.M.P.No.23676 of 2018
IN SA.SR.No.62480 of 2018

Date :24/01/2022

From 26.2.2001 the Registry is issuing certified
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TP(28/01/2022)