



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twelfth day of January Two Thousand and Twenty Two

PRESENT

WEB COPY

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

CMP(MD) No.3907 of 2019
IN
SA(MD)SR.No.4911 of 2018

1 G.MIRUNALINIDEVI
2 G.AMARNATH
3 S.MADHURA
4 S.ANURADHA
5 C.THILAGAM

... PETITIONERS/APPELLANTS

Vs

1 K.CHELLAMUTHU
2 K.KUPPUMATHU
3 G.RAMANIVEL
4 G.GNANASUNDARAM

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 108 days in filing the above Second Appeal in SA.SR.No.4911 of 2018.

PRAYER IN SA(MD)SR.No.4911 of 2018:

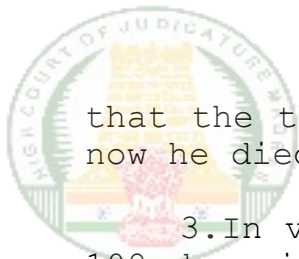
To set aside the judgment and decree dated 08.03.2017 passed in A.S.No.37 of 2016 on the file of Learned Additional District Court, Palani confirming the judgment and decree dated 25.07.2014 passed in O.S.No.Nil of 2014 on the file of Learned Sub-Court, Palani.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.M.P.SENTHIL, Advocate for the petitioner and of MR.S.ANAND CHANDRASEKAR, ADVOCATE for M/S.SARVABHAUMAN ASSOCIATES on behalf of the Respondent Nos.1 & 2 and of MR.P.SANTHOSH KUMAR, Advocate on behalf of the 4th Respondent, the court made the following order:-

This Petition has been filed seeking to condone the delay of 108 days in filing the second appeal in SA(MD)Sr.4911 of 2018.

2.Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court. It is also submitted

<https://hcservices.ecourts.gov.in/hcservices/>



that the third respondent is set exparte before the trial Court and now he died and no steps has been taken against him.

3.In view of the same,this petition is ordered and the delay of 108 days in filing the above second appeal is condoned on condition that the Petitioner pays a sum of Rs.500/- (Rupees Five hundred only) to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, Madurai-625 023 (Indian Bank Saving Account No.496039124, IFSC Code: IDIB000H040), towards costs, within a period of one week from the date of receipt of a copy of this order, failing which, this Petition shall stand automatically dismissed, without further reference to this Court.

sd/-

12/01/2022

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE ADDITIONAL DISTRICT JUDGE, PALANI.

2 THE SUB JUDGE, PALANI.

COPY TO

THE OFFICER INCHARGE,
ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI-625 023.

ORDER

IN

CMP (MD) No.3907 of 2019

IN

SA (MD) SR.No.4911 of 2018

Date :12/01/2022

RS/VR/SAR.1(20.01.2022) 2P-4C