



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

Tuesday, the Twenty Sixth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Ms.Justice R.N.MANJULA

CMP(MD) No.11803 of 2019
in
A.S.(MD) SR. No.17354 of 2018

M.CHANDRAKASAN

... PETITIONER/APPELLANT

Vs

1. T.M.LOGANATHAN
2. R.PUSHPANATHAN

... 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 324 days in payment of deficit court fee of Rs.5000/-.

PRAYER in A.S.(MD) SR. No.17354 of 2018 :

Pleased to allow the appeal, set aside the judgement and decree of the Principal District Judge, Tiruchirapalli, dated 19.05.2017, made in O.S.No.125 of 2014, dismissing the suit filed by the appellant, decree the suit filed by the appellant in the trial court as prayed for with costs throughout.

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.K.S.VAMSIDHAR, Advocate for the petitioner and of MR.V.RAGHAVACHARI, Advocate on behalf of the 1st Respondent and of none appeared for the 2nd Respondent either in person or through by an advocate, the court made the following order:-

This Civil Miscellaneous Petition has been filed to condone the delay of 324 days in paying the deficit Court fee of Rs.5,000/- for filing the Appeal Suit.

2.The learned counsel for the petitioner/appellant would submit that the petitioner was unable to arrange finance to pay the Court fee and that had caused the delay.

3.The respondents did not file any objection.



4. In the interest of justice and in order to give an opportunity to the petitioner/appellant to contest the appeal, I feel that this petition can be allowed.

5. In the result, this Civil Miscellaneous Petition is allowed on the condition that the petitioner/appellant is directed to pay the deficit Court fee of Rs.5,000/- on or before 28.04.2022.

6. List the matter under the caption "for reporting compliance" on 29.04.2022.

sd/-
26/04/2022

/ TRUE COPY /

26/04/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE PRINCIPAL DISTRICT JUDGE,
TIRUCHIRAPALLI.

ORDER
IN
CMP(MD) No.11803 of 2019 in
AS(MD)SR. No.17354 of 2018
Date :26/04/2022

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