



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

Wednesday, the Twenty Second day of February Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice SUNDER MOHAN

CMP (MD) No.2028 of 2023
in
SA (MD) SR.No.36715 of 2021

1 ANTHONIYAMMAL

2 LAKSHMI,

3 SUDHA,

... PETITIONERS/APPELLANTS

Vs

1 JEYALAKSHMI

2 NAMBIRAJAN,

3 RAJESHKUMAR,

4 THE DEPUTY TRAFFIC MANAGER,
CARGO UNDLING DIVISION,
V.O.CHIDAMBARANAR
PORT TRUST, THOOTHUKUDI.

5 THE MANAGER,
LIC OF INDIA,
D.NO.58, BEACH ROAD,
THOOTHUKUDI TALUK, THOOTHUKUDI DISTRICT.

6 SARASWATHY,

... 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 339 days in representing the Second Appeal in S.A.(MD).SR.No.36715 of 2021.

PRAYER IN SA(MD)SR.NO.36715 of 2021:

Pleased to set aside the judgment and decree dated 22.01.2021 passed by the Subordinate Judge, Thoothukudi in A.S.No. 29 of 2017 confirming the judgment and decree dated 22.12.2016 passed by the Additional District Munsif Court, Thoothukudi in O.S.No. 346 of 2013 and allow this second appeal.

ORDER : This petition coming up for orders on this day, upon perusal of the petition and the affidavit filed in support thereof and



upon hearing the arguments of MR.P.EDIN BROUGH, Advocate petitioner, the court made the following order:-

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 339 days in representing the appeal papers in the above Second Appeal.

2. Heard the learned counsel appearing for the Petitioner and perused the materials placed before this Court.

3. Considering the length of delay, this Court is of the view that this Petition may be ordered, on payment of costs.

4. In view of the above, this Petition is ordered and the delay of 339 days in representing the above Second Appeal is condoned on condition that the Petitioner shall pay a sum of Rs.1,000/- (Rupees One Thousand only) to the **credit of the Chief Justice Relief Fund, payable in Accounts Section of the High Court Registry, Madurai Bench of Madras High Court, Madurai**, towards costs, within a period of two weeks from the date of receipt of a copy of this order, failing which, this Civil Miscellaneous Petition shall stand automatically dismissed, without further reference to this Court.

sd/-

22/02/2023

/ TRUE COPY /

/02/2023

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

RM

TO

1 THE SUBORDINATE JUDGE, THOOTHUKUDI.

2 THE ADDITIONAL DISTRICT MUNSIF, THOOTHUKUDI.

COPY TO

THE SECTION OFFICER

ACCOUNTS SECTION

(CHIEF JUSTICE RELIEF FUND)

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.EDIN BROUGH, Advocate (SR-2755[I] dated 23/02/2023)

ORDER

IN

CMP(MD) No.2028 of 2023

in

SA(MD) SR.No.36715 of 2021

Date :22/02/2023

PKP/VR/SAR-3/24.02.2023/2P/5C

<https://www.mhc.tn.gov.in/judis>