



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1587 of 2026

and

CMP.No.7461 of 2026

1. M.D.Jayakumar
S/o.Late M.Dhanapal, No.3, Kumaran
Nagar, Errukencherry, Chennai 118.

Petitioner(s)

Vs

1. G. Shanthi
W/o.Gunasekaran, No.16, Defence
Colony, 1st Street, Main Road, 2nd
Cross st, Pattabiram, Chennai 72.
Maragatham (Deceased)

2.G.Thilagavathy
W/o.Gajendiran, No.28/2, Chinna
Kuzhanthai 1st street, Perambur,
Chennai 600 011.

3.Malathy
W/o.Devendran, No.3/412, Kuvalai St,
Indira Nagar, Chennai 99.

4.Chitra
W/o.Baskar, No.11, Padasalai St,
Manali, Chennai 68.

Respondent(s)

PRAYER

To set aside the order dated 27.2.2026 made in IA.No.7/2025 in OS.No.5737/2011 on the file of the XIII Assistant City Civil Court, Chennai.



For Petitioner(s): MR.I.Arokia Selvaraj

For Respondent(s):

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ORDER

Challenging the impugned order passed in I.A.No.7/2025 in O.S.No.5737 of 2011 on the file of the XIII Assistant City Civil Court, Chennai, the 1st defendant has preferred this revision.

2. Before the Trial Court, he filed an application to condone the delay in filing a petition to set aside the ex parte order. The Trial Court dismissed the application on the ground that the delay was not properly explained. Aggrieved by the same, the present revision has been filed.

3. The learned counsel submitted that the petitioner is employed in ONGC and had been deputed to various places in different States. Though he had instructed his counsel to file vakalat, due to lack of communication, he was unable to follow up the proceedings, resulting in delay. He further submitted that he has a valid defence, including a Will executed by his mother in his favour, and if an opportunity is not granted, his rights would be defeated.

4. Admittedly, the petitioner is employed in ONGC and has been deputed to various places. Considering the circumstances, the submission merits consideration.

5. Admit. Issue notice to the respondent(s), returnable by 20.04.2026.

6. The suit proceedings in OS.No.5737/2011 on the file of the XIII



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Assistant City Civil Court, Chennai, shall not be proceeded with till 20.04.2026.

7. Post the case on 20.04.2026.

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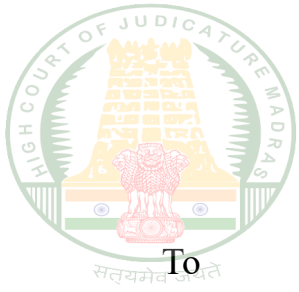
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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5. The XIII Assistant City Civil Court,
Chennai.



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T.V.THAMILSELVI J.
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