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CMP No. 24071 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

**THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

**CMP No. 24071 of 2025
in
AS.SR.No.13969 of 2024**

N.Sampathkumar,

Appellant(s)

Vs

1. B.Rukmani,
W/o.S.Balasundaram, Door No.58/5,
6th Street, Varatharajalu Nagar,
Ganapathy, Coimbatore-641 006.

2.S.Mallika,
W/o.S.Natarajan, Door No.24,
Kaliyammann Kovil Veethi, K.K.Pudur,
Saibaba Colony, Coimbatore-641 038.

3.B.Vijayalakshmi,
W/o.M.Balasubramanian, Door No.5/3,
Thevankottai Veethi No.1, (Naneri
Kalaha Veethi No.1),
Coimbatore-641 001.



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Respondent(s)

For Appellant(s): Mr.S.V. Pravin Rathinam

For Respondent(s): R1 - B.RUKMANI,
W/o.S.Balasundaram
R-2 S.MALLIKA,
W/o.S.Natarajan
R-3 B.VIJAYALAKSHMI,
W/o.M.Balasubramanian
Pvt Notice

Rr 1 To 3 - Served

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The Civil Miscellaneous Petition has been filed to condone the delay of 76 days in filing the appeal.

2. The petitioner is the defendant in the suit based on a promissory note, seeking recovery of amount from the petitioner herein. The suit had been decreed.

3. Perusal of the record shows that the petitioner had not entered the



witness box to state his side of the facts.

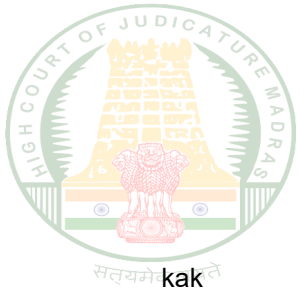
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4. In the affidavit filed to condone the delay, it had been contended that the appeal had been filed within a period of limitation period on 05.02.2024, but the certified copies of the judgment and decree were produced only later, after the Registry had returned the papers for compliance.

5. Notice has been directed to the respondents and notice had been served and the names were also printed in the cause list.

6. Taking all factors into consideration, the delay of 76 days stands condoned and C.M.P.No.24071 of 2025 in AS.SR.No.13969 of 2024 is ordered.

7. Registry is directed to number the appeal, if it is otherwise in order.



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(C.V.K., J.) (K.B., J.)
02-12-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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C.V.KARTHIKEYAN J.
and
K.KUMARESH BABU J.

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