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C.M.P.No.15804 of 2025 in S.A.SR.No.92129 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: **28-08-2025**
CORAM
THE HONOURABLE MRS JUSTICE R. KALAIMATHI
C.M.P.No.15804 of 2025
in **S.A.SR.No.92129 of 2025**

Ponnappan (deceased-sole plaintiff)

Rajathi(died)

1.Thavamani

2.Valarmathy

3.Selvam

4.Saradhaa

5.Balamurugan

.. Petitioners/Appellants

Vs.

Pappathy

..Respondent / Respondent

Prayer : This petition is filed under under Order 43 Rule 3(A) read with Order 42 Rule 1 of C.P.C., seeking to condone the delay of 550 days in filing the above Second Appeal.

For Petitioners : Mr.V.Sekar

For Respondent : Mr.D.Selvaraju

ORDER

Plaintiffs have lost their case before trial Court as well as First Appellate Court have preferred this application to condone the delay of 550 days in filing the Second Appeal.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondent.

3. By filing counter, the learned counsel for the respondent would raise



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strong objection in allowing the application by stating that appellants having realised that there is no merits in their case, they have protracted the matter.

4. Accepting the averments made in the petition, this petition shall stand allowed on payment of cost of Rs.3,000/- payable in favour of the Cancer Institute (WIA), Gandhi Nagar Canal Bank Road, Adyar, Chennai – 20 (payable in S.B.A/c.No.149710011000002, Union Bank of India, Madhya Kailash Branch, Cancer Institute (WIA) Campus, Sardar Patel Road, Chennai-36, Branch Name and Code : 1497, MICR No.600011049, IFSC Code : UBIN0814971), on or before 08.09.2025. Failing which, this petition shall stand automatically dismissed without any further reference to this Court.

28.08.2025

ssn

To

- 1.The Subordinate Judge, Mettur.
- 2.The District Munsif Court, Mettur.
3. The Cancer Institute (WIA),
Gandhi Nagar Canal Bank Road,
Adyar, Chennai – 20.



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R. KALAIMATHI, J.,

ssn

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