



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CMP No. 27008 of 2025
in OSA(CAD).SR.No.142184 of 2025

P.Ramasudarsan,
S/o.Ambica Krishna, No.79,
100 Feet Road, Vadapalani,
Chennai -600 026.

..Appellant(s)

Vs

R.M.Senthil,
S/o.R.Mohan, No.39,
Arunachalam 4th Street,
Shenoy Nagar, Chennai -600 030.

..Respondent(s)

Prayer: Civil Miscellaneous Petition filed under Order XIV Rule 8 of O.S. Rules read with Section 5 of Limitation Act, to condone the delay of 8 days in filing the above Arb.OP (Com.Div)No.40 of 2025 by this Hon'ble Court pending disposal of the original side appeal.

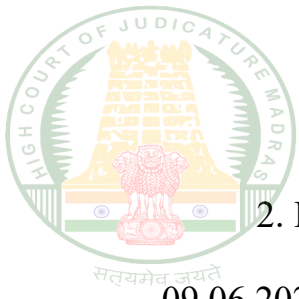
For Appellant(s): M/s. Kamaladevi

For Respondent(s): Mr.K.R.A.Muthukirushnan

ORDER

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

The Civil Miscellaneous Petition has been filed, seeking to condone the delay of 8 days in filing the Original Side Appeal against the order dated 23.06.2025 in Arb. O.P.(Comm.Div) No.40 of 2025.



2. It is seen from the records that even before the learned Single Judge, on 09.06.2025, the learned counsel for the present petitioner had handed over a post-dated cheque, favouring the respondent for a sum of Rs.20,00,000/- dated 19.06.2025, in part compliance of an earlier undertaking, wherein the petitioner had undertaken to pay a sum of Rs.1 Crore to the respondents towards part satisfaction of the award amount. This post-dated cheque for a sum of Rs.20,00,000/- had been dishonoured with an endorsement “insufficient funds”. The learned Single Judge had noted this fact and had held that the petitioner lacks *bona fide* in participating in the judicial proceedings.

3. Quite apart from that, in the affidavit filed in support of the present petition, seeking to condone the delay of 8 days, no reason whatsoever had been given as to why there has been a delay. The affidavit is bereft of any reason. When the petitioner himself has not given any reason, it is not for the Court to search for the reasons to condone the delay of 8 days in filing the appeal. It is clear that the appeal has been filed with delay only to drag on the proceedings.

4. The learned counsel for the respondent asserted that the Execution Petition had been filed, attachment has also been made and the matter is at the stage of bringing the property to sale. It is a clear case of frustrating the judicial process by protracting the matter by filing applications without any intention to pursue the same.



5. We are not satisfied with the submissions made by the learned counsel for the petitioner and accordingly, C.M.P.No.27008 of 2025 is dismissed and OSA (CAD).SR.No.142184 of 2025 is rejected at the SR Stage itself. No costs.

(C.V.K.,J.) (K.B.,J.)
21-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To
R.M.Senthil,S/o.R.Mohan,
No.39, Arunachalam 4th Street,
Shenoy Nagar, Chennai -600 030.



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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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