

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**SA SR No. 206420 of 2025 and
CMP.No.10401 of 2026**

- 1.Savithramma
W/O. Late Venkatasami Reddy
- 2.Balaji,
S/O.(late) Venkatasami Reddy
- 3.Kumar
S/O (late) Venkatasami Reddy

All are residing at
Kakadhaasam Village,
Denkanikottai Taluk,
Krishnagiri.

..Appellant(s)

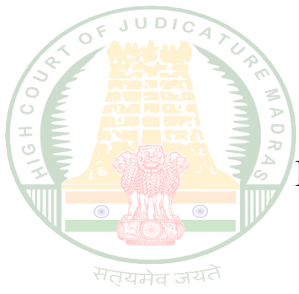
Vs

- 1.Ragunanthan
S/O. Late Srinivasan Reddy
- 2.Muniamma
W/O late Srinivasa Reddy

both are residing at
Kakadhaasam Village,
Denkanikottai Taluk,
Krishnagiri.

..Respondent(s)

PRAYER : Appeal filed under Section 100 of C.P.C., to set aside the judgment and decree of the learned Principal Sub-ordinate Judge, Hosur, dated 23.01.2021 in A.S.No.4 of 2020, confirming the judgment and decree of the learned Additional District Munsif, Denkanikottai dated 24.04.2019 in O.S.No.116 of 2008.



For Appellant(s):

G.M.Ananthakumar

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ORDER

The Second Appeal is filed to set aside the judgment and decree of the learned Principal Sub-ordinate Judge, Hosur, dated 23.01.2021 in A.S.No.4 of 2020, confirming the judgment and decree of the learned Additional District Munsif, Denkanikottai dated 24.04.2019 in O.S.No.116 of 2008.

2. The Miscellaneous Petition is filed to condone the delay of 1291 days in filing the above Second Appeal.

3. In the affidavit filed in support of the Miscellaneous Petition, it was stated by the petitioners / appellants that the certified copies of the judgment and decree passed by the First Appellate Court were misplaced by the first petitioner / first appellant. Thereafter, the first petitioner suffered some health issues and therefore, there was a delay in filing the above Second Appeal.

4. It is seen from the typed set of papers that the First Appellate Court disposed the First Appeal on 23.01.2021. The petitioners / appellants filed copy application on 27.01.2021 and same was made ready on 18.02.2021. If the first petitioner misplaced the certified copies, the petitioners / appellants could have immediately applied for fresh certified copies and filed this Second Appeal.



Misplacement of the certified copies cannot be a ground to condone the delay of more than three years.

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5. Further, the petitioners/appellants, in the affidavit, have not mentioned what was the health issue suffered by the first petitioner and the treatment taken by her. The vague allegation as if the first petitioner suffered from health issues and the papers were misplaced, cannot be a sufficient cause to condone the inordinate delay of 1291 days.

6. Therefore, the Miscellaneous Petition is dismissed and accordingly, the Second Appeal is rejected in the SR stage itself. No costs.

24-04-2026

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

GSK

To

- 1.The Principal Sub-ordinate Judge, Hosur.
- 2.The Additional District Munsif, Denkanikottai.



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SA SR No. 206420 of 2



S.SOUNTHAR J.

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**SA SR No. 206420 of 2025 and
CMP.No.10401 of 2026**

24-04-2026