



CMP(MD) NO. 4979 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-03-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CMP(MD) NO. 4979 of 2025

IN

SA(MD) SR NO. 58460 OF 2024

1. K.lakshmanan
S/o.Late.Kandhan
Indira Colony Street
Pattapathu
Ayiraperi Village
Tenkasi Taluk and District.

Petitioner(s)

Vs

1. T.Ganapathy
S/o.Late.Thirikudapillai
Door No.156/98
Anakkarai Street
Tenkasi
Tenkasi District.
2. K.Kumar
S/o.Late.Kandhan
Gandhi Colony Street
Pattapathu
Ayiraperi Village
Tenkasi Taluk and District.

Respondent(s)

For Petitioner(s):

S.Rajasekar
M.Arjun Varman

For Respondent(s):

M/s. P.Thiyagarajan For R1
For R2 – No appearance



Prayer:

To condone the delay of 122 days in filing the above Second Appeal in SA(MD) Sr No.58460 of 2024 and thus render justice

ORDER

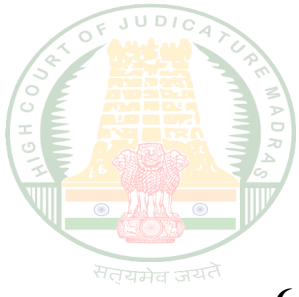
The delay of 122 days in filing the Second Appeal is sought to be condoned.

2.I have heard the learned Counsel for the parties.

3.The petitioner has explained the delay in paragraph No.8 citing his advanced age and also inability to mobilise funds in approaching this Court. Learned Counsel for the first respondent would state that the reasons assigned by the petitioner / appellant are not satisfactory and do not mandate condonation of delay and the averments are self-serving and unsubstantiated.

4.I have considered the arguments advanced by the learned Counsel on either side.

5.Considering that the delay is not inordinate and only 122 days and has been satisfactorily explained in the affidavit in support of the application, I am inclined to condone the delay. However, for the prejudice caused to the first respondent who has also entered appearance and opposed the delay application, I direct the petitioner to pay a cost of Rs.3,000/- to the learned Counsel for the first respondent.



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6.Post on **30.03.2026**, “for reporting compliance”.

MR

12-03-2026



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To

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