

CMP(MD). No.17365 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11/03/2026

CORAM

THE HONOURABLE MR. JUSTICE P.B. BALAJI

CMP(MD). No.17365 of 2025 in
SA(MD).SR.No.20551 of 2022

Shanthi Alias Kamalambal

... Petitioner

Vs

Krishnan

... Respondent

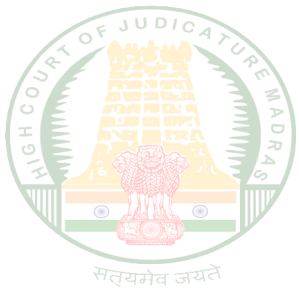
PRAYER :-

To condone the delay of 305 days in filing the Second Appeal in S.A. (MD).SR.No.20551 of 2022 on the file of this Honble Court and thus render justice.

For Petitioner : M/s.C.Meenakshi Rama Prabu
For respondent : Mr. J. Britto Kanikairaj

ORDER

This petition has been filed to condone the delay of 305 days in filing the above Second Appeal.



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2. The defendant is the appellant challenging the decree in O.S. No. 105 of 2009, the concurrent findings of which were confirmed in A.S. No. 34 of 2018.

3. Heard the learned counsel appearing for the parties.

4. The learned counsel appearing for the petitioner states that the delay in preferring the second appeal is neither willful nor wanton and was occasioned only on account of the ill health of the appellant, due to which he was bedridden and could meet his advocate only on 12/04/2022, and the appeal was filed on 13/04/2022 itself.

4. The learned counsel appearing for the respondent contends that the petitioner has not made out any sufficient cause and seeks dismissal of the application.

5. On going through the averments made in support of the petition,



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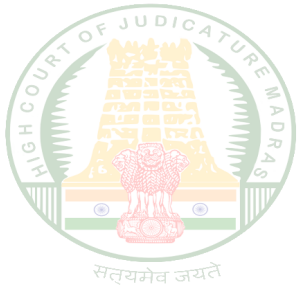
I find that the petitioner has satisfactorily explained the delay. The delay is neither willful nor wanton, and the reasons set out in the affidavit appear to be justified and bona fide. At the same time, the delay has caused some inconvenience to the respondent. Hence, the petitioner is directed to compensate the respondent by way of costs.

6. Accordingly, this petition is allowed on payment of costs of Rs. 3,000/- (Rupees Three Thousand only) to the counsel for the respondent, to be paid within two weeks from the date of receipt of a copy of this order.

7. Post on 02/04/2026 for reporting compliance.

TRP

11.03.2026



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P.B. BALAJI,J

TRP

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SA(MD).SR.No.20551 of 2022

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