

CMP(MD)No.1,
in SA(MD)SR.No.85080 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08-01-2026

**CORAM
THE HONOURABLE MR JUSTICE K.MURALI SHANKAR**

CMP(MD) No.18412 of 2024

in

SA(MD) SR.No.85080 of 2024

1.P.Sakthivel

2.P.Valli

**Appellants/
Petitioners/
Plaintiffs**

Vs

1.K.Raman

R.Mariammal (Died)

2.P.Katchammal

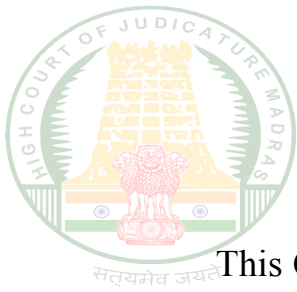
3.Ramalakshmi @ Jakkammal

4.Muthulakshmi

5.Thangameena

6.Sakkaraimoorthy

**Respondents/
Respondents/
Defendants**



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This Civil Miscellaneous Petition filed under Section 5 of Limitation Act praying to condone the delay of 914 days in preferring the second appeal.

For Petitioners: Mr.A.Shahul Hameed

For Respondents: Mr.M.Gnanagurunathan for R1, R3, R4 & R6

Mr.A.Nallathambiraj for R2

No appearance for R5

ORDER

The above petition has been filed seeking orders to condone the delay of 914 days in preferring the second appeal, challenging the judgment and decree passed in A.S.No. 42 of 2017 dated 05.08.2019 on the file of the Subordinate Court, Thirumangalam, confirming the judgment and decree made in O.S.No.118 of 2013 dated 22.06.2016 on the file of the District Munsif cum Judicial Magistrate, Peraiyur.

2. No representation for the fifth respondent.

3. Heard the learned counsel appearing for the petitioners, the learned counsel appearing for the respondents 1, 3, 4 and 6 and the learned counsel appearing for the second respondent.

4. The reason canvassed in the delay condonation petition is that judgment was pronounced during Covid period and that there were family quarrels in the petitioners' family and that is why, there occurred a delay of 914 days in preferring the second appeal.



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5. The first respondent and the second respondent filed counter affidavits raising serious objections.

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6. The learned counsel appearing for the respondents 1, 3, 4 and 6 and the learned counsel appearing for the second respondent would submit that the petitioners, after deducting the corona period, has calculated the delay of 914 days, which is inordinate.

7. Considering the reasons assigned and also the submissions made on either side, this Court is inclined to condone the delay but on terms. Hence, this petition will be allowed on payment of cost of **Rs.1,500/- (Rupees One Thousand and Five Hundred only) each** to the respondents 1 and 2 by the petitioners, on or before **22.01.2026**, failing which, this petition shall stand dismissed automatically.

8. Post the matter on 23.01.2026 'for reporting compliance'.

08-01-2026

CSM