



CMP(MD). No.17904 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/07/2026

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CMP(MD). No.17904 of 2025
in SA(MD)No.SR80243of 2025

1. Subammal,
2. Seethai,
3. Thangam,
4. Neelakandan,

... Petitioners

Vs.

P.Murugan,

... Respondent

PRAYER :- To condone the delay of 489 days in filing the main second appeal in S.A.SR.(MD).No.80243 of 2025 on the file of this Court.

For Petitioners : Mr.V.Meenakshi Sundaram
Advocate.

For Respondent : Mr.R.Mugugan,

ORDER

This Petition is filed to condone the delay of 489 days in filing the main second appeal in S.A.SR.(MD).No.80243 of 2025

2. The learned counsel for the petitioners would state that due to lack of communication, they were not able to follow the proceedings. Therefore, he prayed to condone the delay of 489 day to prefer the second appeal.



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3. The learned counsel for the respondents raised objections stating that the respondent filed the Execution Petition. Only after receipt of notice in the execution proceedings did the petitioners take steps to prefer the appeal belatedly. The petitioners have not assigned any sufficient cause for the delay.

4. Considering the fact that, the first petitioner is aged about 70 years, due to a lack of communication, the petitioners were unable to file the appeal within the prescribed time, and that she is in occupation for more than 30 years, this Court is of the view that one more opportunity ought to be afforded to them to prosecute the appeal on merits.

5. Considering all the facts, this Court is inclined to allow the application . Accordingly, this Petition is allowed on payment of cost of Rs.1,500/- (Rupees One Thousand Five Hundred only) to the learned counsel for the respondent within a week from today. On production of receipt of such payment, the Registry is directed to number the second appeal, if the papers are otherwise in order and list the same **for admission on 21.07.2026.**

09.07.2026

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