



CMP(MD). No.20514 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 03/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P.B. BALAJI

CMP(MD). No.20514 of 2025 in
SA(MD).SR.No.47817 of 2025

1. Karunakaran
2. Sankarapandian

... Petitioners

Vs

1. Sakkammal
2. Vasantha
3. Jothi
4. Kanaga

... Respondents

PRAYER :- To condone the delay of 576 days in filing the above
Second Appeal.

For Petitioners : Mr.R.J.Karthick
Advocate

For Respondent : Mr.D. Srinivasa Ragavan

ORDER

This petition has been filed to condone the delay of 576 days in
filing the above Second Appeal.



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2. Heard the learned counsel appearing for the petitioners and the respondents.

3. The petitioners have filed an affidavit explaining the delay. According to the petitioners, their mother, aged about 94 years, has been suffering from diabetes and kidney-related ailments and, consequently, was not in a position to attend to the litigation. It is also stated that the first petitioner, being her son, had to take care of her treatment and, therefore, was also not in a position to prefer the Second Appeal within time.

4. The respondents have filed a counter affidavit opposing the application for condonation of delay. It is only after the filing of the counter that an additional affidavit, along with medical certificates relating to the second petitioner and the petitioners' mother, namely Valliyammal, has been filed. Hence, he prays for the dismissal of this petition.

5. In view of the fact that the petitioners have made out sufficient



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cause for not preferring the appeal in time, this Court is inclined to show one indulgence and permit the petitioners to contest the appeal on merits.

At the same time, the prejudice caused to the respondents on account of the delay of 576 days, which is more than one year, ought to be adequately compensated.

6. In view of the above, this CMP shall stand allowed, subject to payment of cost of Rs.5,000/- (Rupees Five Thousand only) to the learned counsel for the respondents within a period of two weeks from today.

7. Post for reporting compliance on 17.06.2026.

03.06.2026

TRP