



WEB COPY

CMP No. 23409 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

CORAM

**THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

**CMP No. 23409 of 2025
AND
AS SR NO. 147440 OF 2025**

Chinnaiyan

Appellant(s)

Vs

1. Kalaiselvi
D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur
Taluk and District

2.Kanagam
D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur
Taluk and District

3.Kasthuri,
D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur
Taluk and District

4.Annakkodi,
D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur



Taluk and District

5.Rajamanickam,

S/o Saminathan, Chettithirukkonam

Village, Ariyalur Taluk and District

6.Rajeswari,

W/o Azhagappan Mannuzhi Village

Ariyalur Taluk and District

7.Indira Gandhi

W/o Neelamegam, Kuruvadi Village,

Ariyalur Taluk and District

8.Palanisamy

S/o Dhanavel (Late),

Chettithirukkonam Village, Ariyalur

Taluk and District

9.Sethu,

S/o Dhanavel (Late),

Chettithirukkonam Village, Ariyalur

Taluk and District

10.Asai Ambu

W/o Dhanavel, Chettithirukkonam

Village, Ariyalur Taluk and District

11.Nallammal,

W/o Ganapathy Nathaveli Village,

Ariyalur Taluk and District

12.Kannaki,

W/o Selvam, Varanavasi Village,

Ariyalur Taluk and District

13.Arivazhagan,



S/o Ganesan, Elari Village, Ariyalur
Taluk and District

Respondent(s)

CMP No. 23409 of 2025

For Appellant(s): M/s.J.Pavithra
For Mr.M.Jaikumar

For Respondent(s): R-1 KALAISELVI D/o
Ramalingam
R-2 KANAGAM D/o
Ramalingam
R-3 KASTHURI D/o
Ramalingam
R-4 ANNAKKODI D/o
Ramalingam
R-5 RAJAMANICKAM S/o
Saminathan
R-6 RAJESWARI W/o
Azhagappan Mannuzhi Village
D/o Ariyalur Taluk And District
R-7 INDIRA GANDHI W/o
Neelamegam
R-8 PALANISAMY S/o
Dhanavel (Late)
R-9 SETHU S/o Dhanavel (Late)
R-10 ASAI AMBU W/o
Dhanavel
R-11 NALLAMMAL W/o
Ganapathy
R-12 KANNAKI W/o Selvam
R13 - Left
Pvt Notice



Rr 1 To 6, 8 To 13 - Served
R-13 ARIVAZHAGAN S/o
Ganesan
R7 - Delivered On 15/10/2025
(tracking Sheet Filed)

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The Civil Miscellaneous Petition has been filed, seeking to condone the delay of 770 days in filing the appeal against the judgment and decree in O.S.No.21 of 2021 dated 28.04.2023 on the file of the Additional District Court, Ariyalur. The said suit in O.S.No.21 of 2021 had been filed, seeking partition and separate possession of the suit schedule properties.

2. The present appeal had been filed by the 6th defendant. The other defendants have not filed any appeal.



3. It was only appropriate that the notice had been directed and notice had been served on the respondents.

4. The Court notice had not been served on the 13th respondent, however, private notice has been served.

5. Taking all factors into consideration, particularly that the issues will again be heard, since it is a suit for partition, the delay of 770 days stands condoned and C.M.P.No.23409 of 2025 in AS.SR.No.147440 of 2025 is ordered.

6. Registry is directed to number the appeal, if it is otherwise in order.

(C.V.K., J.) (K.B., J.)

02-12-2025

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Index: Yes/No



Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.KALAISELVI

D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur
Taluk and District

2.KANAGAM

D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur
Taluk and District

3.KASTHURI

D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur
Taluk and District

4.ANNAKKODI

D/o Ramalingam, North Street,
Chettithirukkonam Village, Ariyalur
Taluk and District

5.RAJAMANICKAM

S/o Saminathan, Chettithirukkonam
Village, Ariyalur Taluk and District



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S/o Ganesan, Elari Village, Ariyalur
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K.KUMARESH BABU, J.

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