



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

CMP No. 13948 of 2023

AND

SA SR NO. 74585 OF 2023

1. D.Santhanakrishnan
S/o.Duraisamy, No.47, Kalamman Koil St,
K.K.Pudur Coimbatore.
2. Jagathambal
D/o.Duraisamy, No.47, Kalamman Koil St,
K.K.Pudur Coimbatore.

..Appellant(s)

Vs

1. D. Rajamani (Died) 1.D.Suseela
D/o.Duraisamy, Kathiresan Illam 59/19E1,
Vetrivel Nagar, Koundampalayam, Coimbatore.
2. O.N.Sowkath Ali
S/o.Ozmeer 16/26, Marakadai, NH Road,
Coimbatore.
3. O.N.Ansar Ali
S/o.Ozmeer 16/26, Marakadai, NH Road,
Coimbatore.
4. O.N.Sikkanthar Batcha
S/o.Ozmeer 16/26, Marakadai, NH Road,
Coimbatore.
5. T.Muthaiah
S/o.S.Thiyagarajan, Kathiramani Illam 23,
Alagesan Road, No.2, Ramalinga Nagar,
Coimbatore.
6. M.Indira
W/o.T.Muthiah, Kathiramani Illam 23,
Alagesan Road, NO.2, Ramalinga Nagar,



Coimbatore.

7. N.Sethuraman

S/o.L.R.M.Natarajan P.P.M.L.House,
P.R.M.L.St, Nachandupatti, Pudukottai Dist.

8. S.Sumithra

W/o.N.Sethuraman P.R.M.L. House,
P.R.M.L.St, Nachandupatti, Pudukottai Dist.

9. R.DEvarajan

S/o.late RAngasamy Naidu, 19/1, RAilway
Feeder Road, Periyanaickenpalayam,
Coimbatore.

10.K.V.Kuppujayam

S/o.Venkita Perumal, Thekkupalayam,
S.R.K.V.Post, Coimbatore.

11.J.Chandrakala

W/o.Jayachandran 56, Balaji Nagar Extension,
SRKV Post, Coimbatore.

12.S.Krishnasamy

S/o.Suppa Naidu, D.No.4, Sivsakthi Nagar,
Thirumalainaickenpalayam, Coimbatore.

13.T.V.Selvarajan

S/o.Velappa Naidu, D.No.5/171, Thiruvalluvar
Nagar, Chinnathandagam, Coimbatore.

14.S.Chandra Prabha

W/o.T.V.Selvarajan, D.No.5/171, Thiruvalluvar
Nagar, Chinnathandagam, Coimbatore.

..Respondent(s)

CMP No. 13948 of 2023

To condone the delay of 98 days in filing second appeal.



WEB COPY

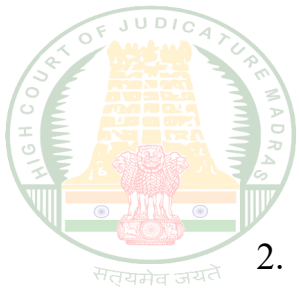
For Appellants : Mr.Pugalendhi

For Respondents : Mr.Dinesh Kumar
Rr1 To 6 And 12 - No Such Addressee
R-7 N.Sethuraman
R-8 S.Sumithra
R-9 R.Devarajan
R-10 K.V.Kuppujaya
R-11 J.Chandrakala
V/r To M/s.Sarvabhauman Associates - Consent
To Be Obtained From The Previous Caveator
Counsel For R13 And R14. Hence Returned
Pvt. Notice

R1 - D. RAJAMANI (DIED) 1.D.SUSEELA
D/o.Duraisamy, Kathiresan Illam 59/19E1,
Vetrivel Nagar, Koundampalayam, Coimbatore.
Rr2 To 4 - Addressee Cannot Be Located
Rr5 & 6 - Left
Rr7, 8 & 11 - Delivered On 25.07.2023
R12 - Addressee Moved

Order

The learned counsel for the petitioners referring to the averments made in the plaint indicates that the respondents 1 to 6 have alienated their share in favour of the respondents 13 and 14. Hence, he seeks notice on them be dispensed with. The appeal has been presented with the delay of 98 days. The first plaintiff claimed that he was suffering from bronchial allergy and the second plaintiff was suffering from viral fever and acute pain in joints due to arthritis. He adds that the bundle had been misplaced and hence, the delay of 98 days is occurred in filing the appeal.



2. Medical reasons constitute “sufficient cause” for the purpose of condonation of delay.

3. Mr.Dinesh Kumar has also not raised any serious objection for allowing this application.

4. Accordingly, the delay is condoned. This civil miscellaneous petition is ordered.

24-07-2026

nl

Note: Registry is directed to number the second appeal, if it is otherwise in order. At the time of listing the appeal for admission, Registry shall print the name of M/s.Sarvabhauman Associates as counsel for respondents 13 and 14.



WEB COPY

CMP No. 13948 of 2



V.LAKSHMINARAYANAN J.

nl

**CMP No. 13948 of 2023
AND
SA SR NO. 74585 OF 2023**

24-07-2026