



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.12.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
CRP No.2815 of 2021

1.Chettichiammal
2.Thangavel
3.Mariyammal
4.Sasikala
5.Thangammal
6.Dhanapakkiyam
7.Sivaji

... Petitioners

Vs

1.Unnamalai
2.Kandasamy

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the order dated 03.09.2021 made in I.A.No.1 of 2020 in un-Numbered A.S. /2020 dated.03.09.2021 on the file of Subordinate Judge, Omalur, Salem District.

For Petitioners : M/s.R.Muruga Bharathi

O R D E R

The challenge in this revision is to the order of the trial Court refusing to condone the delay of 1064 days in filing an appeal against the decree for partition.

2.The reasons that were furnished as sufficient cause for the delay impelled the learned Subordinate Judge to dismiss the application and I do not see any reason to differ from the opinion of the learned Subordinate Judge.

3.The petitioner sought to explain the delay of 1064 days in filing the appeal contending that she had a severe attack of Jaundice from 25.11.2017 to 15.10.2020. There cannot be any better false hood than this averment made in the affidavit filed in support of this application. Merely because there is no Allopathy treatment available for Jaundice, the reason that a person suffered from Jaundice is made a standard reason for condonation of delay before Courts since the Courts do not insist upon proof of treatment. But, to say that a person suffered Jaundice for three years is ultimate false hood. I



therefore do not see any reason to interfere with the order of the learned trial Court, the revision fails and it is accordingly dismissed. No costs.

WEB COPY

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vs

To:

The Subordinate Judge,
Omalur, Salem District.

CRP No.2815 of 2021

EV(CO)
A.SK(20.01.2022)