



WEB COPY



CMP No. 7040 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-02-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP No. 7040 of 2024

AND

SA SR NO. 2149 OF 2024

A.VENKATESAN(DIED)1.Shanthi
NO.1/112, Gandhiyar St, (Ner Kulam),
Mullipattu Post, Arni Tk, Thiruvannamalai
Dist.

Appellant(s)

Vs

R.Kumar
S/o.Ramachandran, NO.36, Sathyamoorthy
Road, Arni Town, Thiruvannamalai Dist.

Respondent(s)

SA SR No. 2149 of 2024

A.Venkatesan(died)

Appellant(s)

Vs

R.Kumar

Respondent(s)

CMP No. 7040 of 2024

For Appellant(s): J. Dev Eshwaar

For Respondent(s):



CMP No. 7040 of 2024

ORDER

WEB COPY

This petition has been filed to condone the delay of 40 days in filing the second appeal against the judgment and decree dated 27.04. 2023 passed in A.S No. 3 of 2022 on the file of Additional District and Sessions Judge (FTC), Arni reversing the judgment and decree dated 27.10.2021 passed in O.S No. 33 of 2012 on the file of the Sub Judge, Arni.

2. The learned counsel for the petitioners submit that the petitioners are legal heirs of the original defendant, who died intestate while pending proceedings, due to the lack of communication between the petitioners and their counsel there was a delay in filing the appeal on time. Hence, he prays to allow this petition.

3. Considering the facts and circumstances, the reason assigned by the petitioner is justifiable one. Accordingly, this Court is inclined to allow this petition. Registry is directed to number the Second Appeal if it is otherwise found to be in order and post the matter on 18.03.2025.

28-02-2025

pbl

CMP No. 7040 of 2024



CMP No. 7040 of 2024

WEB COPY

To

1.R.Kumar
S/o.Ramachandran, NO.36, Sathyamoorthy
Road, Arni Town, Thiruvannamalai Dist.

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



WEB COPY



CMP No. 7040 of 2024

T.V.THAMILSELVI J.

pbl

**CMP No. 7040 of 2024
AND SA SR NO. 2149 OF
2024**

28-02-2025