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S.A.No.1092 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2025

CORAM

**THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN**

**CMP Nos.14711 & 11500 of 2025 in**

**S.A.No.1037 of 2010**

S. Philips

S/o. Late. Susainathan, No.14, Thiruveedhi  
Amman Koil St, Kilpauk, Chennai 10.

Vs

Petitioner in both cases

K. Ponnusamy (died)

1. Amirtham

W/o. Late. K. Ponnusamy, D.No.14,  
Thiruveedhi Amman Koil St, Kilapuk,  
Chennai 10. and 7 Others

Respondents in both cases

**In both cases**

**For Petitioner:**

Mr.D.Ravindranathan for  
M/s.Krishna Law Associates

**For Respondents:**

Ms.C.Selvi for R3 to R6

**COMMON ORDER**

These two applications have been filed to condone the delay of 624 days in filing the application to restore the Second Appeal and to restore the Second Appeal which has been dismissed for non prosecution on 23.06.2023. The defendants in the Original suit are the appellants. The suit had been decreed and the appeal filed by the present appellants



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**C.V. KARTHIKEYAN,J.,**

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had been dismissed by the first appellate Court. The Second Appeal had been dismissed for non prosecution on 23.06.2023.

2. Let me not enter into the discussion on merits, I hold that the delay has not been sufficiently explained. Hence, both the applications stand dismissed.

**24-07-2025**

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