

C.M.P. No.21406 of 2021 &
OSA SR No.72505 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.M.P. No.21406 of 2021
and
OSA SR No.72505 of 2021

B.Ravindran

.. Petitioner/Appellant

VS

1.B.Radhakrishnan

2.Mrs.S.Vijayalakshmi

3.Mrs.D.Nirmala

.. Respondents

Prayer in C.M.P. No.21406 of 2021: Petition filed under Section 5 of the Limitation Act to condone the delay of 1084 days in preferring original side appeal against the judgment passed by the learned single Judge in T.O.S. No.13 of 2010 dated 20.01.2017.

Prayer in OSA SR No.72505 of 2021: Original Side Appeal filed under Clause 15 of Letters Patent r/w Order XXXVI Rule 1 of Madras High Court Original Side against the Judgment dated 20.01.2017 made in T.O.S. No.13 of 2010 passed by this Court.

For Petitioner/ : Mr.B.Kannan



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Appellant

For Respondents : Mr.V.Manohar &
Mr.N.Subbarayalu for R1

ORDER

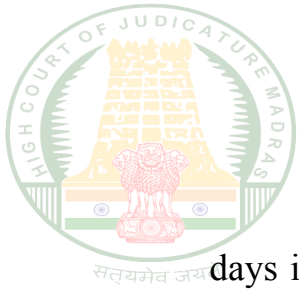
(made by N.SENTHILKUMAR, J.)

The civil miscellaneous petition is filed to condone the delay of 1084 days in filing the original side appeal against the judgment passed by the learned single Judge dated 20.01.2017 in T.O.S. No.13 of 2010.

2. After issuance of notice, the first respondent had entered appearance and submitted that no acceptable reason was set out by the petitioner/appellant for condonation of delay in preferring OSA SR72505 of 2021.

3. On perusal of the affidavit filed in support of the condone delay petition, the only explanation offered by the appellant herein is that he was suffering from spondylosis sans medical records. Except this reason, the appellant has not assigned any other valid reason for the delay of 1084 days.

4. We do not find any valid reason for condoning the delay of 1084



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days in preferring the original side appeal and therefore, we are inclined to dismiss the petition for condonation of delay. Accordingly, the civil miscellaneous petition is dismissed. Consequently, the proposed original side appeal is rejected. No costs.

[A.S.M., J] [N.S., J]
24.06.2025

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

DR. ANITA SUMANTH.,J.
and



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N.SENTHILKUMAR.,J.

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