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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-12-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

CMP No. 17256 of 2025
in
CROS. OBJ SR. No.105689 of 2025

1. DEENADAYALAN
S/o. Late.Govindasamy, Mandi Subbu
Naidu Street, C/o. Venkateswara
Timber Mart, Polur Town, Polur Tk,
Tiruvannamalai District.

Appellant(s)

Vs

1. K.Govindasamy (died)1. Rajendran
S/o. Late.Govindasamy, No. 7,
Padmabai Street, Polur Town,
Tiruvannamalai District.

2.VASUDEVAN
S/o. Late.Govindasamy, No. 7,
Padmabai Street, Polur Town,
Tiruvannamalai District.

3.Elangeswaran @ Ramesh

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S/o. Late.Govindasamy, No. 7,
Padmabai Street, Polur Town,
Tiruvannamalai District.

4.Mohan @ Mohandoss
S/o. Late.Govindasamy, No. 7,
Padmabai Street, Polur Town,
Tiruvannamalai District.

5.Jayagopal
S/o. Late.Govindasamy, Diversion
Road, Polur Town, Tiruvannamalai
District.

6.Ramani
D/o. Late.Govindasamy Diversion
Road, Polur Town, Tiruvannamalai
District.

7.K.G.Anusuya Devi
W/o. S.Jayakumar, Perumal Mudali
Street, Kondithoppu, Chennai

8.K.G.Shanthi
W/o. Sridhar, 70, G.K.M. Building,
Salem Main Road, Kallakurichi,
Kallakurichi Dist.

Respondent(s)

For Appellant(s): D.Chitra Maragatham

For Respondent(s): Mr.N.Manokaran for R1 to R3
Mr.M.Ganesan for R7 and R8

ORDER

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This petition has been filed to condone the delay of 299 days in filing the cross objection.

2.It is to be noted that A.S.No.447 of 2024 had already been filed questioning the judgment and decree in O.S.No.51 of 2007 on the file of the Principal District Court, Tiruvannamalai.

3.In the affidavit filed in support of the petition, it had been stated that the counsel could not be met to give necessary instructions and in that process, there has been a delay in preferring the cross objection.

4.Since both the appeal and cross objection arise from the judgment and decree of the original suit in O.S.No.51 of 2007, it would only be appropriate that all the parties are heard on merits. The delay is condoned. Accordingly, this petition is allowed.

5.The Registry is directed to number of cross objection, if it is otherwise in order.

(C.V.K., J.) (K.B., J.)

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C.V.KARTHIKEYAN J.
AND
K.KUMARESH BABU J.
smv

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