



CMP No. 24543 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

**THE HONOURABLE MRS.JUSTICE K. GOVINDARAJAN
THILAKAVADI**

CMP No. 24543 of 2025 in S.A. Sr.No.148136 of 2023

1. Chidambaram

2. Vinoth Kumar

...Petitioners

Vs

Vasugi

...Respondent

PRAYER

To condone the delay 447 of days in filing this second appeal.

For Petitioners: Mr. B.Sundarapandiyan

For Respondent: Mr. N.Manokaran

ORDER

The captioned Civil Miscellaneous Petition is preferred to condone the delay of 447 days in filing the Second Appeal.



2. In the support affidavit it is stated that since the 1st petitioner suffered a leg amputation as a result of an injury, he is unable to contact his Advocate and give necessary instructions. The same is reiterated by the learned counsel for the petitioners. Hence, he prayed to allow the present petition.

3. On the other hand, the learned counsel appearing for the respondent has stated that, the above suit in O.S. No.22 of 2017 was filed before the Sub Court, Palacode for specific performance against the petitioners herein on the basis of a registered sale agreement dated 10.03.2016. The petitioners/defendants have entered appearance and filed their written statement. The courts below, after considering the materials on record, decreed the suit in favour of the respondent/plaintiff. It is further submitted that the an Execution Petition has also been filed and the petitioners/defendants have also entered appearance. In such circumstances, the petitioners/defendants, after a lapse of 2 years, have come forward with the present petition without any sufficient cause and hence prayed for dismissal of the same.

4. Considering the reasons attributed in the support affidavit and in the interest of justice, this petition is allowed on payment of cost of Rs.5,000/- to be paid to the respondent by the appellants on or before 15.12.2025, failing which, the petition shall stands automatically dismissed without any further reference to this Court.



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5. On payment of such cost, the Registry is directed to number the Second Appeal, if it is otherwise in order, and list the same on 16.12.2025.

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K.GOVINDARAJAN THILAKAVADI J.

bga

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