



WEB COPY



CMP No. 5129 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-02-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP No. 5129 of 2024

AND

SA SR NO. 159939 OF 2023

Muniamma (died) 1. Ellamma
W/o.Kaveriappa, res at Thotagiri Village,
Avalapalli Post, Hosur Taluk

Appellant(s)

Vs

Kaveriappa (died) 1. Muni Ellappa
S/o.Venkatappa, res at Thotagiri Village,
Avalapalli Post, Hosur Taluk, Krishnagiri
District Pappaiah (Died)

Respondent(s)

SA SR No. 159939 of 2023

MUNIAMMA

Appellant(s)

Vs

Muni Ellappa

Respondent(s)

CMP No. 5129 of 2024

For Appellant(s): K.Sukumaran

For Respondent(s): P.Subba Reddy



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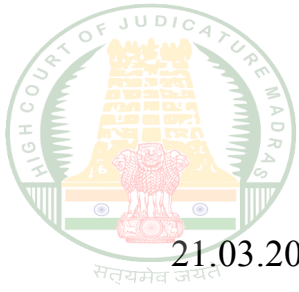
ORDER

WEB COPY This petition has been filed to condone the delay in preferring the above second appeal against the judgement and decree in A.S No. 8 of 2004 dated 29.10.2020 on the file of the Principal District Judge Krishnagiri.

2. The learned counsel for the petitioner submits that due to lack of communication between the petitioner and his counsel the petitioner was not able to file the appeal on time. Hence, he filed this petition to condone the delay of 94 days in preferring the second appeal.

3. The learned counsel for the respondents raised objection to allow this petition.

4. Considering the facts and circumstances, the reason assigned by the petitioner is justifiable one. Accordingly, this Court is inclined to allow this petition on the condition that the petitioner shall pay a cost of Rs.2,000/- to the respondents counsel within a period of two weeks from the date of receipt of a copy of this order. Registry is directed to number the Second Appeal if it is otherwise found to be in order and post the matter on



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21.03.2025.

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To

1.Kaveriappa (died) 1. Muni Ellappa
S/o.Venkatappa, res at Thotagiri Village,
Avalapalli Post, Hosur Taluk, Krishnagiri
District Pappaiah (Died)

2.ELLAMMA
W/o.Pappaiah, res at Thotagiri Village,
Avalapalli Post, Hosur Taluk, Krishnagiri
District

3.VENKATAMMA
res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

4.VENKATAMMA
res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

5.M.Rajappa
res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

6.MUNIRATHNAM
res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

7.RAJAPPA
res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District



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8.VENKATESAN

res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

9.MANJUNATH

res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

10.KANTHARAJ

res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

11.SHAILA

res at Thotagiri Village, Avalapalli Post,
Hosur Taluk, Krishnagiri District

12.MUNIAMMA

W/o.Venkatappa, res at Thotagiri Village,
Avalapalli Post, Hosur Taluk, Krishnagiri
District (The Respondents 2 to 12 were
recognized as a legal heirs of the 1st
Defendant Pappaiah in OS No.36/1998
Impleaded in the appeal in IA No.1/2019 in
AS No.8/2004)

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To

1.Muni Ellappa

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

T.V.THAMILSELVI J.



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