



CMP No. 29840 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CMP No. 29840 of 2024
in SA.No.778 of 2023**

K.M. Ulaganambi

Appellant(s)

Vs

1. A. Padma

2.Mythili

3.Venkatramanan

4.Sivanandham

5.A.G.Poovaragavan

6.Bhuvana

7.Deepika

8.Sriram

9.Nagavali

10.Vinodhini

11.Devi

12.Saridha

13.Kasiram

14.Gowri Lakshmi

Respondent(s)

For Appellant(s): Mr.N. Manoharan

For Respondent(s): Mr.R.Nalliyappan For R1

**ORDER**

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This petition has been filed to condone the delay of 349 days in filing the above petition to restore the S.A.No.778 of 2023 on file.

2. The learned counsel for the first respondent submitted that on two earlier occasions, when this Court had heard the matter at length and was about to pass orders, as per the request of the petitioner, the matter was posted for settlement. However, the petitioner did not cooperate with the settlement process. It was further submitted that the petitioner deliberately allowed the appeal to be dismissed for default and thereafter filed the present application with an inordinate delay, only to drag on the proceedings.

3. Heard the learned counsel for the petitioner and the learned counsel for the first respondent and perused the materials available on record.

4. Considering the fact that it is a suit for specific performance, and if an opportunity is not given, the petitioner's valuable right to get the property will be defeated. Therefore, to give one more opportunity, this Court is inclined to condone the delay on condition that the petitioner shall pay cost of Rs.5,000/- (Rupees five thousand only) to the learned counsel for the respondents within a



week. On payment of the costs, the second appeal is ordered to be restored.

Accordingly, this petition is allowed.

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Post the second appeal on 23.01.2026.

12-12-2025

pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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T.V.THAMILSELVI J.
pvs

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