



WEB COPY

CMP No. 54 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

**THE HONOURABLE MR JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

CMP No. 54 of 2025

IN

CMA NO. 2454 OF 2021

P.N.Naresh Babu
S/oP.Narashimalu, No.5, DVS Nagar,
Minjur, Chennai-601203

Petitioner (s)

Vs

Mrs.P.N.Saranya
W/O. P.N.Nareshbabu, D/O. Niranajn
Kumar, No.298/1,18th Street, Eveready
Colony, Kodungaiyur, Chennai- 600 118

Respondent(s)

CMP No. 54 of 2025

PRAYER

to condone the delay of 500 days in presenting the restoration petition in
CMA.No.2454/2021 and CMP No.14018/2021

CMA No. 2454 of 2021

PRAYER

To set aside the fair and decreetal order dated 06-12-2019 passed by the Learned
VI Additional Family Judge at chennai in IA No.1 of 2019 in OP NO.4486 of
2018

For Petitioner : Mr.K.Sadhananthan

For Respondent: Mr.N.R.Anantha Rama Krishnan



ORDER

(Made by R. SURESH KUMAR., J)

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This civil miscellaneous petition has been filed to condone the delay of 500 days in presenting the restoration petition in C.M.A.No.2454 of 2021.

2. Heard Mr.K.Sadhananthan, learned counsel for the petitioner and Mr.N.R.Anantha Rama Krishnan, learned counsel for the respondent.

3. Though some reasons have been stated in paragraph 3 of the affidavit filed in support of this petition for condoning the huge delay of 500 days in filing the petition to restore C.M.A.No.2454 of 2021 which was dismissed for default on 26.06.2023, we are not impressed with the same. However, if this petition is dismissed, the very purpose of the appeal would get defeated. Therefore, we are inclined to allow this petition only on terms.

4. Accordingly, the petitioner is directed to pay costs of Rs.5,000/- (Rupees Five Thousand only) to the respondent, within a period of two weeks from today, failing which, this petition shall stand dismissed automatically, without further reference to this Court. On such condition, this Civil Miscellaneous Petition is ordered.

(R.S.K.,J.) (A.D.M.C.,J.)

26-03-2025

gya

Issue Today



CMP No. 54 of 2025



To

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Mrs.P.N.Saranya

W/O. P.N.Nareshbabu, D/O. Niranjn Kumar,
No.298/1,18th Street, Eveready Colony,
Kodungaiyur, Chennai- 600 118



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CMP No. 54 of 2025



R.SURESH KUMAR., J.

AND

A.D.MARIA CLETE., J.

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