



C.M.P.(MD)No.6406 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.M.P.(MD)No.6406 of 2018
in
S.A.(MD)SR.No.12681 of 2018
and
S.A.(MD)SR.No.12681 of 2018

Nagammal

... Petitioner/
Appellant

Vs.

1.Therasammal

2.Pilavendran

... Respondents/
Respondents

Prayer in C.M.P.(MD)No.6406 of 2018 : The Civil Miscellaneous Petition filed under Section 5 of Limitation Act, to condone the delay of 674 days in preferring the above second appeal.

Prayer in S.A.(MD)No.SR12681 of 2018 : The Second Appeal filed under Section 100 C.P.C. against the judgment and decree dated 09.02.2016 passed in A.S.No.18 of 2013 on the file of Subordinate Judge,



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Palani in confirming the judgment and decree dated 07.06.2013 passed in O.S.No.332 of 2009 on the file of District Munsif, Palani.

(in both cases)

For Petitioner : Mr.R.Govindaraj

For Respondents : R1 – Died

Mr.T.Lenin Kumar for R2

COMMON ORDER

The Civil Miscellaneous Petition has been filed seeking orders to condone the delay of 674 days in preferring the second appeal, challenging the judgment and decree passed in A.S.No.18 of 2013 dated 09.02.2016 on the file of the Subordinate Court, Palani, confirming the judgment and decree made in O.S.No.332 of 2009 dated 07.06.2013 on the file of the District Munsif Court, Palani.

2. When the matter was taken up on 11.12.2025, taking note of the fact that death of the first respondent was reported as early as on 04.08.2022 and after taking several adjournments, steps were not being taken, this Court ordered to post the matter on 16.12.2025 for taking steps as last chance. Even today (16.12.2025), the learned counsel appearing for



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the petitioner would submit that they are not having any instructions.

Hence, this Civil Miscellaneous Petition stands dismissed for default.

Consequently, S.A.(MD)SR.No.12681 of 2018 stands rejected at the SR stage itself.

16.12.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1.The Subordinate Judge,
Palani.

2.The District Munsif,
Palani.



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K.MURALI SHANKAR,J.

csn

Order made in
C.M.P.(MD)No.6406 of 2018
in S.A.(MD)SR.No.12681 of 2018
and S.A.(MD)SR.No.12681 of 2018

Dated : 16.12.2025