



CMP(MD) NO. 14832 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

CMP(MD) NO. 14832 of 2025

in

A.S(MD)SR.No.73638 of 2025

Rajarathinam

S/o.Kalidoss, D.No.3/81, Mariyammankovil Street, Sivapuram,
Sakkodai Post, Kumbakonam Taluk.

Petitioner(s)

Vs

Indira

W/o.Nagarajan, D.No.17, M.C.S.R. Street, Kumbakonam
Town. and another

Respondent(s)

For Petitioner(s):

Mr.S.Sankar

For Respondent(s):

M/s.P.Thiyagarajan

For Sole Respondent

Prayer: To condone the delay of 480 days in filing the Appeal in A.S.SR.No.73638 of 2025 on the file of this Honorable Court and thus render justice.

ORDER

(Order of the Court was made by the Hon'ble C.V.KARTHIKEYAN J.)

This application has been filed to condone the delay of 480 days in filing the appeal against the judgment and decree in O.S.No.117 of 2018 on the file of the Additional District Judge (Fast Track Court), Kumbakonam, dated 24.11.2023. By that judgment, a preliminary decree had been granted created a charge over the suit schedule property.



2. In the affidavit, it had been stated that the copy application was filed on 27.11.2023 and the copy was made ready on 12.02.2024, thereafter, the petitioner was not able to meet the Advocate since he was affected by Jaundice.

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3. The counter affidavit has been filed questioning the reasons stated in the affidavit and this petition lacks bonafide.

4. Since the legal issues has to be examined during the hearing of appeal suit and reasonable explanation has been given, we would condone the delay of 480 days. Accordingly, this petition is allowed and the registry is directed to number the appeal suit, if it is otherwise in order.

(C.V.KARTHIKEYAN J.) (R.VIJAYAKUMAR J.)

13-10-2025

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