



WEB COPY

CRP No. 437 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 437 of 2026

Ranjini @ Venkateswari

..Petitioner(s)

Vs

Lalitha Veeramuthu

..Respondent(s)

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to allow the above Civil Revision Petition by setting aside the Decree and Order dated 03.12.2025 in I.A.No..No.2/2025 in OS.No.5734/2012 passed by the XII Assistant City Civil Court at Chennai.

For Petitioner(s):

M/s.G.V. Sridharan

ORDER

The civil revision petition is filed challenging the order passed by the trial court dismissing the application filed by the petitioner in I.A.No. 2 of 2025 to condone the delay of 3884 days in filing petition to restore the suit which was dismissed for default on 24.06.2013.



2. It is seen from the typed set of papers that the petitioner filed a suit for declaration that settlement deed dated 03.10.2003 executed in favour of defendant was null and void and for permanent injunction. She also prayed for declaration that cancellation of settlement deed dated 07.12.1993 was also null and void. The said suit was dismissed for default on 24.06.2013 owing to continuous non-appearance of the petitioner. Thereafter, the petitioner filed an application to restore the suit in I.A.No.10279 of 2013. The said I.A was also dismissed for default on 22.8.2014. Subsequently, petitioner filed various petitions as referred to in impugned order seeking to restore the IA which was dismissed for default. All the petitions were dismissed. After filing various applications to restore the suit and allowed the same to go for default, suppressing all the above said proceedings, the petitioner filed I.A.No. 2 of 2025 to condone the delay of 3884 days seeking restoration of the suit. In the affidavit filed in support of the condone delay petition, it was stated by the petitioner that she is an illiterate widow and hence, she could not take steps to restore the suit immediately as she was in depressed state.

3. It is seen from the records that immediately after dismissal of the suit for default, the petitioner had taken steps to restore the suit. However, successive applications filed by her for restoring the suit were allowed to go for default till 2017. In the present affidavit, all the above proceedings initiated by the petitioner has been fully suppressed. Therefore, the averments made by the



petitioner that she was in depressed state, therefore she was prevented from restoring the suit in time, etc., are all not acceptable to this court. The petitioner has not given any convincing reason to condone the inordinate delay of 3884 days in filing restoration petition. Hence, the Trial Court rightly dismissed the application. I do not find any error in the impugned order passed by the Trial Court. Accordingly, the civil revision petition stands dismissed. No costs.

05-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

The XII Assistant City Civil Court, Chennai.



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S.SOUNTHAR, J.

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