



WEB COPY

CMP No. 9409 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

**CMP No. 9409 of 2026
in A.S.SR.No.12093 of 2026**

A.Varalakshmi
W/o. K.Adishesan,

..Appellant(s)

Vs

1. K.Selvam
S/o.M.Kulanthaivel Chettiar,
2. K.Senthilkumar
S/o.M.Kulanthaivel Chettiar,

..Respondent(s)

To condone the delay of 2706 days in filing the above Appeal.

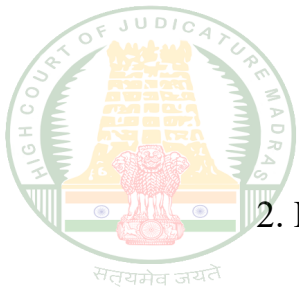
For Appellant(s): Mr.L.P.Shanmugasundaram

For Respondent(s): Mr.S.John For R1 and R2

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

This petition has been filed seeking to condone the delay of 2705 days in filing the appeal in A.S.SR.No.12093 of 2026 against the judgment and decree dated 29.06.2018 in O.S.No.30 of 2017 passed by the District Judge, District Court - II, Kanchipuram.



2. Mr.S.John, learned counsel accepts notice on behalf of respondents.

3. In the affidavit filed giving reasons for the delay, it had been stated that the appellant was handling the case through her son-in-law and after his demise, the appellant lost track of the case bundle, she had also shifted her house to some other place, she had no knowledge about the judgment and came to know about the case only when the Execution Petition was filed.

4. The learned counsel for the respondents / caveators submitted that decree amount has not been satisfied to any extent whatsoever.

5. However, we would condone the delay subject to deposit of 1/3rd of the decree amount and independently the costs to the credit of the suit in O.S.No.30 of 2017 on the file of District Judge, District Court No.II, Kanchipuram within four weeks from this date. This is not as a condition to condone delay but to ensure stay of execution of the decree.

6. Accordingly, this petition is allowed and the delay in filing the appeal is condoned.

7. The Registry is directed to number the appeal, if it is otherwise in order and list the same on 22.06.2026, wherein the aforesaid direction would again be examined to ensure compliance.

(C.V.K.,J.) (K.R.S.,J.)
15-06-2026

gpa



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C.V.KARTHIKEYAN, J.,
AND
K.RAJASEKAR.J.,

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