



WEB COPY

CMP No. 5210 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CMP No. 5210 of 2026 in
SA.SR.No.24380 of 2026**

Mariammal alias Maya Devi

..Appellant(s)

Vs

Thirumoorthy (Died)

1. Kathievel Murugan
2. Anandhi
3. Theanmozhi

..Respondent(s)

Prayer: To condone the delay of 202 days in filing this SA Sr No.24380 of 2026 as against the decree and Judgment passed in AS No.27 of 2008 on the file of the IV Additional District Judge, Udumalpet dated 10.03.2025 reversing the Decree and Judgment passed in OS No.9 of 1998 on the file of Subordinate Court, Udumalpet, dated 31.10.2005.

For Appellant(s): P.Kannan

For Respondent(s): M/s.D.R.Arun Kumar For R1
M/s.P.Tamilavel For R2



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ORDER

This petition has been filed seeking to condone the delay of 202 days in filing the second appeal.

2. The learned counsel for the petitioner submitted that after receipt of certified copies, the same were misplaced in the house of the petitioner. It is also stated that petitioner is aged about 72 years and he is suffering from age related ailments. Hence, there was a delay of 202 days in filing second appeal.

3. The learned counsel for the respondent seriously opposed the application on the ground that petitioner has not made out any sufficient cause to condone the delay.

4. Having satisfied with the reasons assigned in the affidavit filed in support of the petition, the delay of 202 days in filing the second appeal is condoned. Accordingly, the civil miscellaneous petition is allowed.

5. Registry is directed to number the second appeal, if it is otherwise in order and list the same for admission.

17-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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S.SOUNTHAR, J.

nr

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