



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR JUSTICE P. VELMURUGAN

AND

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

**CMP No. 5917 of 2026 in
OSA SR No.18850 of 2026**

1. Mahendra Babu PJ,
S/o.Jagannathan P,
Door No.111/2,
Five Star Apartments, Padikuppam Road,
Anna Nagar West, Chennai 600 040.
2. AK Mohammed Hussain
S/o.K.A.Abdul Kuddus,
Door No.114/16, Five Star Apartments,
Padikuppam Road, Anna Nagar West,
Chennai 600 040.

..Petitioners(s)

Vs

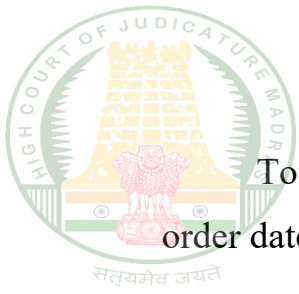
1. Five Star Apartments Owners Welfare
Association-Anna Nagar West,
Represented by its President
Vilvanan,
Padikuppam Road, Anna Nagar West,
Chennai 600 040.
2. The Executive Committee,
Five Star Apartments Owners Welfare
Association, Anna Nagar West,
Represented by its President
Vilvanan,
Padikuppam Road, Anna Nagar West,
Chennai 600 040.
3. S.Vigneshwaran,
Door No.112/23,
Five Star Apartments,
Padikuppam Road, Anna Nagar West,
Chennai 600 040.



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4. V.Hariharan,
Door No.113/14,
Five Star Apartments, Padikuppam Road,
Anna Nagar West, Chennai 600 040.
5. J.Chidambara Perumal,
Door No.114/4
Five Star Apartments,
Padikuppam Road, Anna Nagar West,
Chennai 600 040.
6. K.Rajagopal,
Door No.114/21
Five Star Apartments, Padikuppam Road,
Anna Nagar West, Chennai 600 040.
7. J.Manoj,
Door No.115/29,
Five Star Apartments, Padikuppam Road,
Anna Nagar West, Chennai 600 040.
8. M.Raju,
Door No.114/33
Five Star Apartments, Padikuppam Road,
Anna Nagar West, Chennai 600 040.
9. DEC Infrastructure and Projects (India) Private
Limited,
Represented by its
Authorised Signatory
Having its registered office
at 47/370, 15th Main Road,
Kathiravan Colony, Anna Nagar,
Chennai 600 040.
- 10.M/s.Sai Sravanthi Infra Projects Private
Limited,
Represented by its Authorised Signatory
P.Sai Kumar,
Having its Registered office at 9-B,
Akcet Towers, TSD Velan Nagar Main Road,
Arumbakkam, Chennai 600 106.

..Respondent(s)



To condone the delay of 149 days in filing the present OSA against the order dated 07.08.2025 passed in A.No.3888 of 2025 in C.S.No.167 of 2023.

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For Petitioner(s): Ms. S.Karpagapriya

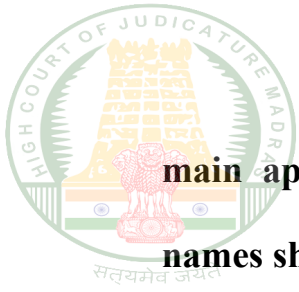
For Respondent(s): Mr. S. Ilamuhil for R1
R2 to R8 - No Appearance

ORDER

(Order of the Court was made by P.Velmurugan J.)

This Miscellaneous Petition has been filed to condone the delay of 149 days in filing the present appeal in OSA SR.No.18850 of 2026 against the order dated 07.08.2025 passed in A.No.3888 of 2025 in C.S.No.167 of 2023.

2. This Court, by an order dated 07.04.2026, directed the issuance of fresh notice and private notice to respondents 9 and 10. The petitioner was directed to file the Affidavit of Service (AOS) within four weeks, failing which the miscellaneous petition would stand automatically dismissed against respondents 9 and 10 without further reference to the Court. But, the said order was not complied with, and the affidavit of service was not filed as directed. However, one more opportunity was granted to the petitioner to issue fresh notice and private notice to the unserved respondents at their correct addresses, returnable within four weeks. The petitioner was further directed to pay batta within three days and to file the AOS within the stipulated time. This direction has also not been complied with. **Therefore, this Miscellaneous Petition, as well as the**



main appeal, stands dismissed as against respondents 9 and 10. Their names shall no longer be reflected in the cause title of the appeal.

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3. Though the contesting respondent (R1) appeared through counsel, no counter-affidavit has been filed, and he has no serious objection to the condonation of delay. Furthermore, this Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

4. Therefore, the delay is condoned insofar as the respondents 1 to 8.

(P.V.,J.) (K.G.T.,J.)
29-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KSA-2

Note: Registry is directed to number the Appeal, if the papers are otherwise in order.



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CMP No. 5917 of 2026 in OSA SR No.18850 of 2



**P.VELMURUGAN, J.
AND
K.GOVINDARAJAN THILAKAVADI, J.**

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CMP No. 5917 of 2026

29-06-2026