



WEB COPY

CMP No. 6760 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-03-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

**CMP No. 6760 of 2026
& AS SR NO. 39968 OF 2026**

K. Ahamed Basha (Died),

- 1.A.Haroon Rashid
2. A.Samiullah
3. A.Salahuddin
4. Hajira Begum

..Appellant(s)

Vs

K.Kadhar Hussain

..Respondent(s)

Petition filed under Section 5 of Limitation Act, to condone the delay of 69 days in filing the Appeal against the Judgment and Decree dated 18.08.2025 passed in O.S.No.393 of 2007 by the learned Additional District Judge, Chengalpattu .

For Appellant(s): Mr.A.Abdul Rahman

For Respondent(s): Ms.Ajitha Rajan

ORDER

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

This petition has been filed seeking to condone the delay of 69 days in filing the appeal against the judgment and decree dated 18.08.2025 in O.S.No.393 of 2007 on the file of Additional District Judge, Chengalpattu.



2. The said suit has been instituted by the respondent seeking the relief of specific performance and the said suit had been decreed. The defendants are in appeal.

3. In the affidavit filed explaining the reasons of delay it had been contended that there was no proper communication from the counsel regarding progress of the suit and the appellants herein did not even grace the witness box to tender evidence.

4. Taking note of all factors into consideration, since all the issues have to be examined and re-examined in the appeal, delay in filing the appeal is condoned.

5. The Registry is directed to number the appeal, if it is otherwise in order. Registry is also directed to print the name of the counsel for caveators in the cause list when the appeal is listed for admission.

(C.V.K.,J.) (K.R.S.,J.)
13-03-2026

gpa



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K.RAJASEKAR J.**

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