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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2026

CORAM

THE HON'BLE MRS.JUSTICE R. KALAIMATHI

C.M.P.No.11726 of 2026

in

A.S.No.552 of 2021

D.Radha

..Petitioner

Vs

M.Anjalai

..Respondent

Prayer: This Civil Miscellaneous Petition is filed under Section 5 of Limitation Act, praying to condone the delay of 447 days in filing the petition for restoration of First Appeal and thus render justice.

For Appellant : Mr.D.Jayasekar
For Respondent : Mr.P.Jeyaprakasam.

ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. By an order dated 02.12.2024, this Court dismissed the Appeal as infructuous. The details of the judgment dated 02.12.2024 are extracted hereunder:-

“Appeal Suit is filed to set aside the judgment and decree dated 02.01.2019 in O.S.No.660 of 2017 on the file of the learned XVII Additional Judge, City Civil Court, Chennai.



R.KALAIMATHI, J.

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2. Learned Counsel for the Respondent appeared through virtual mode and submitted that final decree had been passed in O.S.No.660 of 2017 on the file of the learned XII Additional Judge, City Civil Court, Chennai dated 17.03.2023.

3. In the light of the submission made by the learned Counsel for the Respondent, the Appeal is dismissed as infructuous. Connected miscellaneous petition is closed. There shall be no order as to costs.

3. Against the same, the present Civil Miscellaneous Petition is preferred under Section 5 of the Limitation Act seeking to condone the delay in filing the petition. No petition will lie against the said order and therefore, this Civil Miscellaneous Petition is dismissed as not maintainable in law. There is no order as to costs.

29.06.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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