



CMP NO. 10331 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 10331 of 2025

in

SA.SR.No.26383 of 2025

Bothaiyammal
W/o. Kumarasamy Nadar, Nagalur Village,
Kallakurichi Taluk, Villupuram Dt.

Appellant(s)

Vs

Vaalan
S/o. Motaiyan, M. Pudaivur Village, Thittakudi
Taluk, Cuddalore Dt.

Respondent(s)

For Appellant(s):

A.Sathishkumar
M. Arjunan
N. Sriramaselvam

For Respondent(s):

ORDER

This Petition has been filed to condone the delay of 1319 days in preferring the above Second appeal S.A.SR.No.26383 of 2025.



WEB COPY

2. The learned counsel for the appellant submitted that there is a delay of 1319 days in preferring this appeal. It is further submitted that the appellant has since passed away. However, the learned counsel states that steps are being taken to implead the legal heirs of the deceased appellant.

3. It is also brought to the notice of the Court that an Execution petition (E.P.No.165 of 2022) has been filed before the learned Principal Subordinate Judge, Kallakurichi, to execute the decree. The counsel contends that if the decree is executed at this stage, it would result in a multiplicity of proceedings, especially since the appellant was inclined to challenge the findings by filing a second appeal with a petition to condone the delay.

4. In view of the above circumstances, the proceedings in E.P.No.165 of 2022, pending before the learned Principal Subordinate Judge, Kallakurichi, are ordered to be stayed till 03.07.2025.



5. Notice to the respondent, returnable by 03.07.2025. List the
appeal for hearing on 03.07.2025.

29.04.2025

rr

To

- 1.The Subordinate Judge, Kallakurichi.
- 2.The Additional District Judge, Villupuram, Kallakurichi.
3. The Principal Subordinate Judge, Kallakurichi,



WEB COPY



T.V.THAMILSELVI, J.

rrr

CMP NO. 10331 of 2025

in

SA.SR.No.26383 of 2025

29.04.2025