



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3123 of 2026

and

CMP.No.13561 of 2026

1. V.Manikandan
S/o. Velusamy, D.No.11, 2nd Cut, 3rd
Street, Ganapathipudur, Ganapathy,
Coimbatore 641 006.

Petitioner(s)

Vs

1. Ambikavathy
W/o. Janakiraman, D.No.51, 4th Street,
Ganesh Layout, Ganapathy, Coimbatore
641 006.

Respondent(s)

PRAYER

Civil Revision Petition filed under Section 115 of Code of Civil Procedure, prays to set aside the Fair and Final Order passed in I.A.No.1 of 2025 in O.S.No.1436 of 2017 dated 12.11.2025 on the file of the I Additional Subordinate Court, Coimbatore.

For Petitioner(s): MR.P.R.Ramesh Babu

For Respondent(s):

ORDER

Challenging the impugned order passed by the learned trial Judge allowing the application filed under Section 5 of the Limitation Act for condonation of a delay of 1462 days in filing the application to set aside the ex-

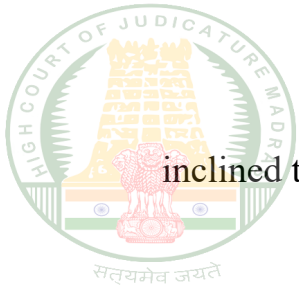


part order dated 12.11.2025 passed in I.A.No.1 of 2025 in O.S.No.1436 of 2017, on the file of the I Additional Subordinate Court, Coimbatore, the petitioner / plaintiff has preferred the present revision.

2. The learned counsel for the petitioner submitted that the respondent, having appeared through counsel and filed a written statement, deliberately remained absent thereafter. Consequently, the plaintiff obtained a decree and filed E.P. No.596 of 2023 for execution. Only after receipt of notice in the execution proceedings did the respondent come forward with an application to condone the delay. According to the petitioner, the delay was due to wilful negligence and, without considering the same, the trial Court erroneously allowed the application.

3. Considering the fact that the suit is one for recovery of money, and that the respondent/defendant had already filed a written statement but failed to cooperate during the trial proceedings, the trial Court nevertheless granted one more opportunity and allowed the application on payment of costs of Rs.7,000/-.

4. This Court does not find any irregularity in the order passed by the trial Court. However, having regard to the conduct of the defendant, this Court is



inclined to enhance the costs from Rs.7,000/- to Rs.18,000/-.

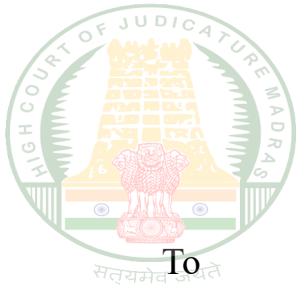
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5. The respondent is directed to deposit a sum of Rs.18,000/- towards costs within a period of four weeks. **With the above direction, this Civil Revision Petition is disposed of.** Consequently, the connected miscellaneous petition is closed. No costs.

6. The learned trial Judge is further directed to dispose of the suit within a period of three months.

05-06-2026

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

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1. Ambikavathy
W/o. Janakiraman, D.No.51, 4th Street,
Ganesh Layout, Ganapathy,
Coimbatore 641 006.

2. The I Additional Subordinate Court,
Coimbatore.

3. The Section officer,
VR sEction, High Court of Madras.



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T.V.THAMILSELVI J.
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