



WEB COPY

CMP No. 13197 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CMP No. 13197 of 2024 in
SA.SR.No.72739 of 2021**

Arulmighu Karivaradharaja Perumal Temple
Rep. by Executive Officer, S.S. Kovil Road,
Pollachi.

..Appellant(s)

Vs

1. Dhanalakshmi
2. T. Jayalakshmi @ Mahalakshmi
3. Vijayalakshmi
4. S. Hamsaveni
5. G. Shanmugasundaram
6. K. Arumugam
P.K. Mani (Died exonerated) K. Ramanathan Chettiar (Died
exonerated)
7. P.N. Nagarathinam
8. R.M. Kasiviswanathan
9. Palanisamy Chettiar
- 10.M. Selvaraj

..Responden
ts)

Prayer: To condone the delay of 795 days in filing the above Second Appeal preferred against the Judgment and decree dated 15.03.2019 in AS No.53 of 2012 on the file of Subordinate Judge, Pollachi.

For Appellant(s): Ms.R.Swathi
for M/s.K.Govindarajan

For Respondent(s): M/s.T.M.Naveen for R1 to R5
R6, R8 to R10- Given up(set exparte)



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ORDER

The learned counsel for the petitioner/appellant filed a memo giving up respondents 6, 8 to 10 as they remained ex parte before the courts below. The memo is recorded.

2. This civil miscellaneous petition has been filed seeking to condone the delay of 795 days in filing the above second appeal.

3. Heard the learned counsel for the petitioner and learned counsel for the respondents 1 to 5.

4. Though 7th respondent was served and his name appears in the list, there is no representation.

5. In the affidavit filed in support of the condone delay petition, it was stated that first appeal was disposed of on 15.03.2019 and copy application was made on 19.03.2019. The certified copies were received by petitioner's counsel on 29.04.2019. It is further stated that disposal of first appeal came to the knowledge of the petitioner only during September 2019. Immediately, the case papers were sent to present counsel in the month of October 2019 for preparing second appeal. The present counsel directed the petitioner to get certain exhibits and old records for the purpose of preparing second appeal. The documents requested by him were procured and forwarded to the counsel during 1st week of March 2020. Thereafter, there was a Covid-19 outbreak and there was some



delay in filing second appeal. Ultimately, the second appeal papers were presented before this Court on 18.08.2021.

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6. Having satisfied with the reasons assigned in the affidavit filed in support of the condone delay petition, this Court is inclined to condone the delay of 795 days in filing the second appeal on condition that the petitioner pays a sum of **Rs.1,000/- (Rupees one thousand only) to the credit of 'Chief Justice Relief Fund', Madras High Court, Chennai, within a period of one week from today.** Failing which, the civil miscellaneous petition shall stand automatically dismissed. In case of compliance of the condition, registry is directed to number the second appeal, if it is otherwise in order and list the same for admission.

09-04-2026

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

To

The Subordinate Judge, Pollachi.



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S.SOUNTHAR, J.

nr

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