



CMP No. 28841 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMP No. 28841 of 2025

AND

SA SR NO. 72933 OF 2025,CMP NO. 28845 OF 2025,SA SR NO. 72932 OF 2025

1. Ponnusamy
S/o. Ponnappagounder, Kallipallam
Thottam, Aaigoundenpalayam,,
Velampoondi Village, Dharapuram
Taluk, Tiruppur District.

Appellant(s)

Vs

1. Nachimuthu
S/o. Periyasamygounder,
Periyathottam, Aaigoundenpalayam,
Velampoondi Village, Dharapuram
Taluk, Tiruppur Taluk.

2.Nallasamy
S/o. Periyasamygounder,
Periyathottam, Aaigoundenpalayam,
Velampoondi Village, Dharapuram
Taluk, Tiruppur Taluk.

Respondent(s)

CMP No. 28845 of 2025

1. Ponnusamy
S/o. Ponnappagounder, Kallipallam
Thottam, Aaigoundenpalayam,,
Velampoondi Village, Dharapuram
Taluk, Tiruppur District.

Appellant(s)

Vs



1. Nachimuthu
S/o. Periyasamygounder,
Periyathottam, Aaigoundenpalayam,
Velampoondi Village, Dharapuram
Taluk, Tiruppur Taluk.

2.Nallasamy
S/o. Periyasamygounder,
Periyathottam, Aaigoundenpalayam,
Velampoondi Village, Dharapuram
Taluk, Tiruppur Taluk.

Respondent(s)

CMP No. 28841 of 2025

PRAYER

To condone the delay of 885 days in filing the above appeal against the judgment and decree dated 02.08.2022 made in AS No.4 of 2021 on the file of Learned Subordinate Court, Dharapuram.

CMP No. 28845 of 2025

PRAYER

To condone the delay of 982 days in filing the above appeal against the judgment and decree dated 02.08.2022 made in AS No.16 of 2019 on the file of Learned Subordinate Court, Dharapuram.

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For Appellant(s): Mr.N.Ponraj

For Respondent(s): Mr.M. Guruprasad For R1 And
R2

ORDER



CMP No. 28841 of 2025 has been filed to condone the delay of 885 days in filing the above appeal against the judgment and decree dated 02.08.2022 made in AS No.4 of 2021 on the file of Learned Subordinate Court, Dharapuram.

2. CMP No. 28845 of 2025 has been filed to condone the delay of 982 days in filing the above appeal against the judgment and decree dated 02.08.2022 made in AS No.16 of 2019 on the file of Learned Subordinate Court, Dharapuram.

3. The learned counsel for the petitioner submits that the petitioner's son died due to the accident hence the petitioner was not able to file appeal on time. Therefore, he prays to allow this petition.

3. The learned counsel for the respondents submit that after filing of execution petition the petitioner filed this petition without any medical records to substantiate his claim. Hence, he prays to dismiss this petition.

4. It is a dispute with regard to common pathway between neighbours. Considering the age of the petitioner and in order to avoid multiplicity of proceedings, the delay of 885 & 982 days is condoned and the petitions are ordered on the condition the petitioner shall pay a cost of Rs.2,000/- to the respondents' counsel.

5. Post the matter on 27.01.2026.

06-01-2026

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

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T.V.THAMILSELVI J.
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**CMP No. 28841 of 2025
AND SA SR NO. 72933
OF 2025,CMP NO.
28845 OF 2025,SA SR
NO. 72932 OF 2025**

06-01-2026