



WEB COPY

CMP. No.20906 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

**CMP. No.20906 of 2025
in
CRP. SR. No.136048 of 2024**

M.Muthu

Petitioner(s)

Vs

1.K.Ammavasai
2.A.Vijayan

Respondent(s)

PRAYER: This Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 61 days in filing the Civil Revision Petition.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For Respondents : Mr.P.Jeyachandran

ORDER

The revision petitioner seeks condonation of 61 days in filing the Civil Revision Petition.



2. I have heard Mr.Dalit Tiger C.Ponnusamy, learned counsel for the petitioner and Mr.P.Jayachandran, learned counsel for the respondents 1 and 2.

3. The learned counsel of the petitioner taking me through the affidavit filed in support of the condone delay application, would contend that the delay is neither wilful nor wanton and the petitioner should be given a fair opportunity to challenge the order passed in I.A. No.644 of 2019 in O.S. No.167 of 2012 on the file of the learned District Munsif, Chengam.

4. The learned counsel for the respondents would however state that the petitioner has not been diligent at any point of time and consequently, the delay application should not be considered favorably. He prays for dismissal of the CMP.

5. I have carefully considered the submissions advanced by the learned counsel on either side. I have also gone through the records.

6. The delay is only 61 days and certainly cannot be termed as



inordinate. The reasons set out in the affidavit in support of the application are satisfactory and sufficiently explained the delay of two months and thereabouts, hence I am inclined to condone the delay on payment of costs in order to compensate the respondents for the prejudice that may have been caused to them.

7. In fine, CMP is allowed on condition that the petitioner pays costs of Rs.2,000/- to the learned counsel for the respondents within a period of two (2) weeks from today.

8. For compliance, post the matter on 06.02.2026.

29.01.2026

rkp
Neutral Citation Case : Yes/No
Internet: Yes/No
Index : Yes/No
To:
The District Munsif, Chengam.

P.B.BALAJI, J.,

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