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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1829 of 2017

1. N.Sam Bandhan
S/o. Late Natarajan, All Res At, No.37,
Bajanai Koil Street, West Tambaram,
Chennai-45. and 3 Others
2.Amsa
D/o. Late Natarajan
3.N.Shivanandan
S/o. Late Natarajan
4.N.Shivasankaran
S/o. Late Natarajan. Petitioner(s)

Vs

1. Krishnaveni Ammal
W/o. Tambiran, No.36, Bajanai Koil Street,
West Tambaram, Chennai-04.
2.Jaya@jayammal
W/o. Shanmugham, No.11/5, Kinattru
Street, West Tambaram, Chennai-005.
3.Megala@pappathi
W/o. Chinnaiyan, No.15/6, Govindaraj
Street, West Tambaram, Chennai-45.

Respondent(s)

Civil Revision Petition filed under Article 227 of Constitution of India against the fair and decreetal order made in I.A.No.162 of 2016 in O.S.No.251 of 2010 on the file of District Munsif Court, Tambaram dated 08.02.2017.

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For Petitioner(s): Dr.G.Krishnamurthy
For Mr.M.Rajendran

For Respondent(s): No appearance For R2
Batta Due – R.1 & R.3

ORDER

Before the trial Court, the revision petitioners/plaintiffs filed an application in I.A.No.162 of 2016 to condone the delay of 434 days in filing the application to restore the suit, which was dismissed for default on 05.08.2013. On hearing both sides, the trial court dismissed the application stating that no valid reason was assigned for the delay. Aggrieved by the same, the plaintiffs have filed the present revision.

2. Learned counsel for the revision petitioners submits that due to lack of communication, the petitioners could not appear before the court and they were suffering from illness.

3. I have perused the materials available on record.

4. The plaintiffs filed a suit in O.S.No.251 of 2010 before District Munsif Court, Tambaram for permanent injunction and declaration. The record reveals that the revision petitioners are senior citizens and if opportunity is not given to the petitioners, the right to protect the property will be defeated.

5. The trial court has rightly pointed out that no valid reason was assigned for

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the delay and there is no medical proof to show that the petitioners are suffering from ailments. But, on seeing the age of the revision petitioners, to give one more opportunity, this Court is inclined to condone the delay.

6. Accordingly, the delay is condoned on condition that the petitioners shall deposit a sum of Rs.2,000/-(Rupees Two thousand only) before the trial Court within a period of three weeks from the date of receipt of a copy of this order and on such deposit, the suit in O.S.No.251 of 2010 will be restored to file.

7. Once the suit is restored to file, the trial Court is directed to issue notice to the defendants and proceed with the matter.

8. With the above direction, the civil revision petition is allowed. No costs.

10.06.2026

sr
Index:yes/no
Website:yes/no
Speaking Order/Non-speaking order

To
The District Munsif Court, Tambaram

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