



WEB COPY

CMP No. 23982 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-01-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CMP No. 23982 of 2025
in S.A.SR.No.56721 of 2025**

1. Sivaraj
S/o Veerappagounder, Kollapatti,
Manakadavu Village, Dharapuram
Taluk, Tiruppur District

Appellant(s)

Vs

1. Thevasigamani and 12 others.

Respondent(s)

For Appellant(s): Mr.Aravind Subramanian Sr
Counsel for Mr. MANOJ

For Respondent(s): M/s.E.Shobana For Rr8 To 12
M/s.S. Vasavi Sridevi For R6
M/s.W.Camyles Gandhi For R4

ORDER

This petition is filed praying to condone the delay of 970 days in preferring the above Second Appeal.

2. Learned counsel for the petitioner submits that due to appellant's illness, he could not approach the counsel within the time limit and the delay is neither wilful nor wanton.



3. Learned counsel appearing for Respondents 8 to 12 raised objections stating that final decree application has already been filed and therefore, delay on the part of the appellants would cause hardship.

4. Learned counsel appearing for Respondents 4 and 6 although submitted that they have no objections for allowing the present petition, submitted that the delay of 970 days is huge.

5. Since counsel for respondents 4 and 6 have no objections and the counsel for respondents 8 to 12 raised objections and that the suit is for partition, to avoid further litigations and to settle the issue between the parties, this court is inclined to condone the delay with a condition that counsel for appellant/petitioner shall pay Rs.2000/- to counsel for R4, Rs.2000/- to counsel for R6 and Rs.2000/- to counsel for R8 to R12 within a period of ten days from the date of receipt of a copy of this order.

6. The Second Appeal SR is to be numbered, if the same is otherwise in order subject to compliance of above condition.

7. Post the matter on 13.02.2026 for reporting compliance.

27-01-2026

nvsri



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T.V.THAMILSELVI J.

nvsri

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