



WEB COPY

CMP No. 28580 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

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THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CMP No. 28580 of 2025
in
Appeal (CAD).SR.No.151312 of 2025

1. Mrs.K. Madhumathi
W/o. Late. Kalidas, No.542/622, Thiruvotriyur
High Road, Tondiarpet, Chennai 081.
2. Mr.K. Jaya Vignesh Raghav
S/o. Late. Kalidas, No.542/622, Thiruvotriyur
High Road, Tondiarpet, Chennai 081.
3. Mr.K. Shri Harish
S/o. Late. Kalidas, No.542/622, Thiruvotriyur
High Road, Tondiarpet, Chennai 081.
4. Mrs.K. Ambrishini Devi
D/o. Kalidas, No.542/622, Thiruvotriyur High
Road, Tondiarpet, Chennai 600 081.

Vs

..Appellant(s)



Shahul Hameed

S/o. E. Mohamed, Prop.M/s. S.R.S. Movies, Office
at Lena Buildings, No.28, North Krishnan Koil St,
Madurai - 1.

..Respondent(s)

To condone the delay of 270 days in filing the appeal suit against the Judgement and Decree passed in COS No.325 of 2022 dated 05.08.2024 on the file of the Hon'ble Principal Commercial Court at Egmore, Chennai.

For Appellant(s): Mr.E.Balamurugan

For Respondent(s): Mr.A.Chidambaram

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

This Civil Miscellaneous Petition has been filed seeking to condone the delay of 270 days in filing the appeal against the judgment and decree in C.O.S.No.325 of 2022 dated 05.08.2024 on the file of the Principal Commercial Court, Egmore, Chennai.

2. The said suit had been filed, seeking recovery of money in I.A.No.4 of 2024. By order dated 28.06.2024, on the basis of an admission made by the appellants herein, a direction was given against them to deposit 50% of the principal amount of a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) on or before 22.07.2024. The appellants herein did not deposit the said amount



and the decree thereafter came to be passed on the amount claimed by the plaintiff/respondents.

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3. In the affidavit filed giving reasons for the delay, it is stated that the health of the petitioner had deteriorated and that she was the only person, who was dealing with the case and was not able to meet and instruct the counsel to file an appeal. However, it is made clear that though this Court is inclined to condone the delay, the direction issued by the learned trial Judge would again be insisted upon by us when the appeal comes up for admission.

4. The learned counsel for the appellants also insisted that there has been default in complying with the directions of the learned trial Judge. However, taking into consideration the reasons stated, the delay of 270 days is condoned and the petition stands allowed. No costs.

(C.V.K.,J.) (K.B.,J.)

23-01-2026

Note: The Registry is directed to number the appeal, if it is otherwise in order, and list the same before this Court for admission on 02.02.2026.

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CMP No. 28580 of 2



To
Shahul Hameed

S/o. E. Mohamed, Prop.M/s. S.R.S. Movies, Office
at Lena Buildings, No.28, North Krishnan Koil St,
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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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23-01-2026