



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A.Nos.5593 and 5594 of 2025

in
C.S.No.108 of 2022

1.G.Mahalingam
2.M.Pradeep
3.M.Ramajayam

..Applicants

Vs

1.Mrs.Hema Padmanabhan
2. Mr.Vijay Balaji Padmanabhan
3.Mr.Vivek Balaji Padmanabhan

..Respondents

Prayer: This application has been filed under Order XIV Rule 12 of O.S.Rules r/w Section 151 of CPC., praying to set aside the order dated 27.10.2025 passed by learned Master in A.No.6229 of 2023 in C.S.No.108 of 2022.

For Applicants : Mr.S.Rajendrakumar

ORDER

This application has been filed by the applicants/defendants under Order XIV Rule 12 of the Original Side Rules to set aside the order dated 27.10.2025 passed by the learned Master in A.No.6229 of 2023. The said application before the learned Master was one to condone the delay in filing an application to set aside the ex parte decree dated 26.04.2023 passed in the summary suit.



WEB COPY

2. On a perusal of the order passed by the learned Master, this Court finds that the learned Master has considered both the oral and documentary evidence let in on either side and has assigned reasons for holding that the explanation offered by the applicants was not satisfactory. At the same time, having regard to the fact that the matter need not be shut out at the threshold, that the delay is not inordinate, and that the dispute arises out of a money suit, this Court is of the view that one further opportunity can be granted to the applicants, subject to stringent terms, so that the matter may be decided on merits.

3. Accordingly, **A.No.5593 of 2025 is allowed** on condition that the applicants/petitioners deposit a sum of **Rs.25,00,000/-** to the credit of C.S.No.108 of 2022 within a period of four weeks from the date of receipt of a copy of this order. In default of such deposit within the time stipulated, this application shall stand dismissed automatically without further reference to this Court. No costs.

01.04.2026

nvi



WEB COPY



DR.A.D.MARIA CLETE, J.

nvi

A.No.5593 of 2025 in
C.S.No.108 of 2022

01-04-2026