



WEB COPY

CMP Nos.1428 and 1525 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CMP Nos. 1428 and 1525 of 2026

in

CRP Nos. 1473 and 1622 2022

1. A. Vijay Anand
S/o. Arjunan, No.11/70, Medavakkam
High Road, Kovilambakkam, Chennai -
600129.

2. Bharani Vijayanand
W/o. Vijay Anand, No.11/70,
Medavakkam High Road,
Kovilambakkam, Chennai 600129.

Appellant(s)

Vs

1. P. Sandeep
S/o. T.S. Prakashchand, New No.13,
Dharmaraja Koil Lane, Saidapet,
Chennai - 600 015.

Respondent(s)

CMP No. 1525 of 2026

1. A. Vijay Ratheesh
S/o. Arjunan, 11/70, Medavakkam High
Road, Kovilambakkam, Chennai -
600129.

2.P. Arjunan
S/o. Perumal, No.11/70, Medavakkam
High Road, Kovilambakkam, Chennai -
129.

Petitioner(s)



Vs

1. P. Sandeep
S/o. T.S. Prakashchand, New No.13,
Dharmaraja Koil Lane, Saidapet,
Chennai - 015.

Respondent(s)

CMP No. 1428 of 2026

PRAYER:-This petition filed under Section 151 of CPC., to pass an order of extension of time to deposit the remaining amount of Rs.50000/- in OS No.3067 of 2018 on the file of I Assistant Judge, City Civil Court at Chennai as per the order dated 28.10.2025 in CMP No.25890 of 2025.

CMP No. 1525 of 2026

PRAYER:-This petition filed under Section 151 of CPC., to pass an order of extension of time to deposit the remaining amount of Rs.50,000/- in OS.No.3066 of 2025 on the file of 1st Assistant City Civil Judge at Chennai as per the order dated 28.10.2025 in CMP.No.25882 of 2025.

In both CMPs

For Appellant(s): R.Balaguruswamy

For Respondent(s): Mr.Sunil,
Senior Counsel
for Mr.K.P.Santhosh

COMMON ORDER

These miscellaneous petitions have been filed seeking extension of time to comply with the order dated 28.10.2025 passed in CMP.Nos.25882 and 25890 of 2025. While disposing of the Civil Revision Petition, this Court had directed the petitioners to deposit a sum of Rs.1,00,000/- each within the time stipulated. The petitioners deposited only Rs.50,000/- each and sought further



time to deposit the balance amount of Rs.50,000/- each. The learned Judge granted further time for deposit of the balance amount. However, even within the extended time, the petitioners admittedly did not deposit the remaining sum and, therefore, the present applications have been filed.

2.The learned counsel for the petitioners would submit that demand drafts dated 29.01.2026 have already been taken in the name of the Registrar, City Civil Court, for the remaining amount of Rs.50,000/- each and that the time may be formally extended to enable the petitioners to deposit the same and thereafter contest the suit on merits.

3.Per contra, the learned counsel for the respondent would submit that this is the second application seeking extension of time and that the petitioners should not be shown any further indulgence. It is further contended that, inasmuch as the suit is a summary suit, the petitioners/defendants are protracting the proceedings, thereby defeating the very letter, spirit and object of Order 37 CPC.

4.I have carefully considered the submissions made on either side.

5.No doubt, by order dated 28.10.2025, this Court directed the petitioners to deposit a sum of Rs.1,00,000/- each. The petitioners were able to muster only



Rs.50,000/- each and deposited the same in part compliance. Thereafter, the petitioners sought extension of time to deposit the remaining amount of Rs.50,000/- each, which was also granted by the very same learned Judge who passed the order dated 28.10.2025. Further time was granted to the petitioners to deposit the balance amount on or before 27.11.2025.

6.Since the petitioners were unable to deposit the said amount on or before 27.11.2025, they have filed the present petitions on 12.12.2025 stating that the petitioners' younger brother suffered a brain stroke and heart attack and was admitted in hospital, which constrained the petitioners to incur huge and unexpected expenses, thereby rendering them unable to deposit the balance amount of Rs.50,000/- each within the time frame fixed by this Court.

7.I am satisfied that the petitioners have made out sufficient cause for their inability to deposit the remaining amount of Rs.50,000/- each on or before 27.11.2025. In fact, to show their bona fides, the petitioners have already taken demand drafts for the said amount on 29.01.2026.

8.In the light of the above, this Court is inclined to grant time to the petitioners to deposit the balance amount of Rs.50,000/- each within a period of one week from the date of receipt of a copy of this order. Upon such deposit, the petitioners' applications leave to defend the suit shall be decided by the Trial



Court within a period of four weeks.

WEB COPY

9. Accordingly, these Civil Miscellaneous Petitions are ordered.

19-02-2026

Kv

To

The I Assistant City Civil Court, Chennai.



WEB COPY

CMP Nos.1428 and 1525 of 2026



P.B.BALAJI J.

kv

**CMP Nos. 1428 and 1525
of 2026
in
CRP Nos. 1473 and 1622
2022**

19-02-2026