



CRP(MD). No.177 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 09.01.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

C.R.P(MD). No.177 of 2025

and

C.M.P(MD) No.1173 of 2025

Avudaiammal

... Petitioner

Vs

1.Pandiammal

2.Divya

Sankaran (Died)

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 13.1.2024 in I.A.No.1 of 2024 in unnumbered A.S.No.--of 2024 on the file of the learned Principal District and Sessions Judge, Srivilliputhur.

For Petitioner : Mr.V.R.Shanmuganathan

For R1 and R2 : Mr.S.Alagusundar



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ORDER

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This Civil Revision Petition has been filed challenging the fair and decretal order dated 13.01.2024 passed in I.A.No.1 of 2024 in unnumbered A.S.No.____ of 2024 on the file of the learned Principal District and Sessions Judge, Srivilliputhur.

2. The trial Court dismissed I.A.No.1 of 2024 in the unnumbered appeal suit, which was filed seeking condonation of a delay of 59 days in preferring the appeal, on the ground that no medical evidence was produced to substantiate the claim that the petitioner was suffering from jaundice and memory loss, and that the delay was intended only to prevent the enjoyment of the decree.

3. The learned counsel appearing for the respondent vehemently contended that the revision petitioner had not furnished any acceptable or probable explanation for condonation of the delay of 59 days.

4. Per contra, the learned counsel appearing for the revision petitioner submitted that the delay occurred due to the intervening



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summer vacation holidays, resulting in a delay of 59 days in filing the appeal.

5. Being satisfied with the reasons stated in the affidavit filed in support of the petition, this Court is inclined to condone the delay of 59 days in preferring the appeal.

6. Accordingly, this Civil Revision Petition is allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

09.01.2026

Indu

To

The learned Principal District and Sessions Judge,
Srivilliputhur.



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N.SENTHILKUMAR, J.

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