



*C.R.P(MD) No.234 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.01.2026**

CORAM

**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**C.R.P(MD) No.234 of 2026**

1.R.Ragu

2.Revathi

3.Vanathi

4.Petchiammal

... Petitioners

Vs.

Nagaraj

... Respondent

**PRAYER:** Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the impugned order, dated 07.10.2025 passed in I.A.No.1 of 2025 in unnumbered A.S.No...of 2025 on the file of the Principal District Court, Madurai.

For Petitioners : Mr.K.Anandraj

**ORDER**

The Civil Revision Petition has been filed challenging the impugned order dated 07.10.2025 passed in I.A. No.1 of 2025 in unnumbered A.S. No.\_\_\_\_ of 2025 on the file of the Principal District Court, Madurai.



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2. The petitioners are the defendants in O.S.No.1519 of 2023. The suit was decreed in favour of the plaintiff and aggrieved by the same, the petitioners / defendants preferred an appeal along with I.A.No.1 of 2025 to condone a delay of 65 days. The trial Court, while condoning the delay on payment of costs of Rs.1,000/-, posted the matter for compliance on 07.10.2025. On that day, there was no representation for the petitioners. The learned Judge noted that the matter was called at 11.35 a.m., 12.20 p.m., and 3.30 p.m., and despite sufficient opportunities, there was no appearance. Consequently, the application was dismissed for non-prosecution.

3. The learned counsel for the revision petitioners submitted that due to a medical emergency, the counsel, who was appearing before the trial Court could not be present. Though no material has been placed in support of the said contention, this Court is inclined to take a lenient view, considering that the delay sought to be condoned is only 65 days.

4. In the interest of justice, the impugned order is set aside and the matter is remitted back to the trial Court for fresh consideration. The trial court shall consider the same on the first hearing itself and dispose of the



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same on merits. It is open to the trial Court to impose further conditions,  
if deemed fit.

5. With the above direction, this Civil Revision Petition is  
disposed of. No costs.

**30.01.2026**

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

Indu

To

- 1.The Principal District Court, Madurai.
- 2.The Section Officer  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**N.SENTHILKUMAR,J.**

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