



CMP(MD) NO. 2313 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22-06-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CMP(MD) NO. 2313 of 2026

IN

SA(MD) SR NO. 6772 OF 2026

1. Andi Vairavan
S/o. Vellaichamy
Kalpulichanpatti Village
Vikramangalam Post
Usilampatti Taluk
Madurai District.

Petitioner(s)

Vs

1. Ponnangan
S/o. Chinna Maya Thevar
Kalpulichanpatti Village
Vikramangalam Post
Usilampatti Taluk
Madurai District.

2. Masi
S/o. Athaiya
Kalpulichanpatti Village
Vikramangalam Post
Usilampatti Taluk
Madurai District.

Kannammal (Died)

3. Kumar
S/o. Late. Sunthan
Kalpulichanpatti Village
Vikramangalam Post
Usilampatti Taluk
Madurai District.



4. Kalavathi
W/o. Senthil
Natarajan Colony
Thuraiyur
Trichy District.

5. Vasantha
W/o. Rajendiran
P.K.Pudur
Behind Madurai Veeranan Kovil
Kunniyamuthur Post
Coimbatore District.

(Respondents 4 and 5 are LR of deceased 2nd respondent Kanniammal in AS No.14/2021 and they were Impleaded as per order dated 04.06.2024 in IA No.373 of 2024 in appeal suit)

(Respondents 2 to 4 remained ex parte in the first appellate court. Hence notice to respondents 2 to 4 may be dispensed with)

Respondent(s)

For Petitioner(s):

S.Srinivasa Raghavan
B.John Seema
Devadharshini R

For Respondent(s):

M/s.J.Barathan

Prayer:

To Condone the delay of 209 days in filing the above Second Appeal against the judgment and decree dtd 12.03.2025 made in AS No.14 of 2021 on the file of Learned Subordinate Judge, Usilampatti reversing the judgment and decree dated 15.02.2019 made in OS No.131 of 2012 on the file of learned District Munsif Court cum Judicial Magistrate No.1, Usilampatti, and pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.



ORDER

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This petition has been taken out to condone the delay of 209 days delay in filing the Second Appeal.

2.Heard the learned Counsel for the parties.

3.On going through the affidavit, I find that the petitioner has made out a reasonable cause and hence, the appellant deserves an opportunity to contest the Second Appeal. However, the respondents who have been prejudiced by the delay must be suitably compensated by payment of cost.

4.Accordingly, this Civil Miscellaneous Petition is allowed on payment Rs.3,000/- to the respondents.

5.Post *after two [2] weeks* for reporting compliance.

22-06-2026

MR



To

1. Ponnangan
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Usilampatti Taluk
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