



CMP(MD) NO. 2976 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08-06-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CMP(MD) NO. 2976 of 2026

IN

SA(MD) SR NO. 17462 OF 2026

1.Kalpana
W/o.Ranadive
Kollipathai Street
Ambalapattu South Village
Orthanadu Taluk
Thanjavur District.

Petitioner(s)

Vs

1. Arulmozi
S/o.Viswanatan
Melamarutur Village
Tiruturaipoondi Taluk
Tiruvarur District.

Respondent(s)

For Petitioner(s):

A.Sivasubramanian
Ferozkhan A
M.Sangeetha

For Respondent(s):

M/s. D. Srinivasa Ragavan
R.Murugabharathi
K.Viji
For Sole Respondent Sr. 12196 Dt 25.03.2026

Prayer:

To condone the delay of 345 days in filing the Second Appeal and thus render justice.



ORDER

WEB COPY

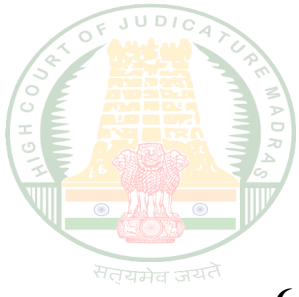
Heard the learned Counsel for the petitioner and the respondents.

2.Delay of 345 days in preferring the Second Appeal is sought to be condoned. According to the petitioner, though the suit was originally dismissed, the First Appellate Court has reversed the findings. Though the judgment and decree copies of the First Appellate Court were handed over to the learned Counsel with instructions to prefer a Second Appeal and file the same, the appeal the papers were misplaced and only after a considerable delay, papers were traced and the appeal has therefore, been filed with a delay 345 days.

3.Considering the fact that the suit is for recovery of money and the trial Court's verdict has been reversed by the First Appellate Court, I am inclined to provide one opportunity to the petitioner to contest the case on merits.

4.However, at the same time, the prejudice caused to the respondent should be adequately compensated.

5.Accordingly, this petition is allowed, on payment of cost of Rs.10,000/- to the learned Counsel for the respondent / plaintiff, within a period of two [2] weeks.



WEB COPY

6.Post on **22.06.2026**, for compliance.

MR

08-06-2026

To
1. Arulmozi
S/o.Viswanatan
Melamarutur Village
Tiruturaipoondi Taluk
Tiruvarur District.