



CMP(MD) N



024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-02-2026

CORAM

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS JUSTICE R. KALAIMATHI

CMP(MD) NO. 12084 of 2024

IN

AS(MD) SR NO. 57066 OF 2024

1. S.Samiappan
S/o. Subbarayan
Old Door No.3/88/37
New Door No.242/2 Vadivel Nagar
Andankovil East Village
Manmangalam Taluk
Karur District.

Petitioner(s)

Vs

1. R.Palanisamy
S/o. Ramasamy Goundar
Ponniyagoundan Pudur
Punnam Chathiram Post
Punnam Village
Avaraikuruchi Taluk
Karur District.

Respondent(s)

For Petitioner(s): Mr.V.Sukumar

Prayer: This petition is filed under Section 5 of Limitation Act praying this Court to condone the delay of 881 days in filing of the main appeal suit and thus render justice.



ORDER

(Order of the Court was made by the Hon'ble G.R.Swaminathan J.)

This appeal arises out of O.S.No.64 of 2016 on the file of the Principal District Judge, Karur.

The appeal has been filed with a delay of 881 days.

2. The petitioner's counsel points out that O.S.No.64 of 2016 was tried along with O.S.No.67 of 2016. While O.S.No.64 of 2016 was decreed as prayed for, O.S.No.65 of 2016 was dismissed by a common Judgment. Aggrieved by the dismissal of O.S.No.65 of 2016, the plaintiff has filed A.S.(MD)No.3 of 2021 before this Court and it is still pending. The petitioner also states that he will deposit Rs.6,00,000/- to the credit of O.S.No.64 of 2016 within 8 weeks from the date of receipt of a copy of this order.

3. We are satisfied with the reasons set out in the affidavit filed in support of the condone delay petition. Delay occasioned in filing this appeal is condoned. This Civil Miscellaneous Petition is allowed. After the same is numbered, Registry shall list A.S.(MD)No.3 of 2021 along with this appeal so that they can be jointly taken.

(G.R.SWAMINATHAN J.) (R.KALAIMATHI J.)

11-02-2026

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To

1. R.Palanisamy
S/o. Ramasamy Goundar
Ponniyagoundan Pudur
Punnam Chathiram Post
Punnam Village
Avaraikuruchi Taluk
Karur District.