



CMP(MD). No.2072 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 02/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P.B. BALAJI

CMP(MD). No.2072 of 2025 in SA(MD)Sr.No.69828 of 2019

1. 1. A.Paulayan (Died)
2. Chellammal (died)
3. Justin Jeyakumar
4. P.Antony Stella Bai

... Petitioners

Vs

1. Mary Kala
2. S.Sushmi (Minor),
3. Sajin Zagar (Minor)
- Minors rep. by R1
4. P.Robin Devakumar,
5. C. Letus,,
- (Cause titled accepted and amended
- vide order dated 21.02.2023)

... Respondents

PRAYER :- To Condone the delay of 1646 days in filing the Second Appeal in SA(MD). SR No.69828 of 2019.

For Petitioners : M/s.S.C.Herold Singh,
For Respondents : No appearance

ORDER

This petition has been filed to condone a delay of 1646 days in



CMP(MD), No.2072 of 2025

filing the above Second Appeal.

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2. Though the respondents have been served and their names have also been printed in the cause list, they have not chosen to enter appearance either in person or through counsel.

3. Heard the learned counsel appearing for the petitioners. I have also gone through the affidavit filed in support of the petition for condonation of delay.

4. The petitioners challenge the concurrent findings of the Courts below validating the settlement deed executed by the husband of the first appellant. It is stated that the appellants are in possession of the property, and even in the written statement, the deceased first defendant in the suit had asserted that he had not executed any settlement deed in favour of the plaintiff and that the same had been brought about by fraud.

5. In the light of the substantial interest of the appellants involved, this Court is inclined to condone the delay, subject to conditions.

6. Accordingly, this petition is allowed on condition that the petitioners shall pay a cost of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Hon'ble Chief Justice Relief Fund, Madras High Court, Madurai, within a period of two weeks from the date of receipt of a copy of this order.

7. Post the matter for reporting compliance on 16.04.2026.

02.04.2026

TRP

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