



CMP(MD) NO. 19354 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-03-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CMP(MD) NO. 19354 of 2025

IN

SA(MD) SR NO. 73578 OF 2025

1. Muthulakshmi
W/o.Chinnan
Aged About 39
Ward No.15
Nethaji Nagar
Usilampatti Town
Usilampatti Taluk
Madurai District.

2. CHINNAN
S/o.Iyer Thevar
Aged about 62
Othapatti Village
Usilampatti Taluk
Madurai District.

Petitioner(s)

Vs

1. Chellaiah
S/o.Rasu Thevar
Aged about 56
Ward No.14
Chinna Poosari Street
Keelaputhur
Usilampatti Taluk
Madurai District.

Respondent(s)



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For Petitioner(s):

M/s.Roy And Roy Associates
Mr.S.Rajasekar

For Respondent(s):

M/s. S. Prabhu

S.Bala Murugan

K.Anbu Chelvam

For Sole Respondent Sr. 6003 Dt 12.02.2026

Prayer:

To condone the delay of 495 days in filing the above Second Appeal in S.A. (MD).SR.No.73578 of 2025 and thus render justice.

ORDER

The delay of 495 days in preferring the Second Appeal is sought to be condoned.

2.I have heard the learned Counsel for the parties.

3.Learned Counsel for the petitioners, taking me through the affidavit filed in support of the condone delay application by the second petitioner would reiterate the reasons assigned in paragraph No.10 of the affidavit.

4.The learned Counsel for the respondent opposes the application on the ground that the reasons for delay as set out in paragraph No.10 have not been substantiated by filing any medical records.



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5.Independently, going through the averments set out in the affidavit filed in support of this application, I am satisfied that the delay has been reasonably explained by the petitioner in the affidavit filed in support of the condone delay application. However, at the same time, the prejudice caused to the respondent has to be necessarily compensated.

6.Accordingly, this Civil Miscellaneous Petition is allowed on payment of Rs.3,000/- to the learned Counsel for the respondent within a period of one [1] week.

7.Post on **30.03.2026**, “for reporting compliance”.

23-03-2026

MR

To
1. Chellaiah
S/o.Rasu Thevar
Aged about 56
Ward No.14
Chinna Poosari Street
Keelaputhur
Usilampatti Taluk
Madurai District.