WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27-10-2026

CORAM

THE HON'BLE MS.JUSTICE R. POORNIMA

CMP(MD) No. 13328 of 2026

CNR:{HCMD011274652026}

IN

CRP(MD) SR NO. 68634 OF 2026

1. Subramanian (Died),

1. Pappu,
   W/o. Late. Subramanian,
   D.No. 5/22, Middle Street,
   Nettavelampatti Village,
   Pachaperumalpatti Majara,
   Thuraiyur Taluk,
   Tiruchirappalli District.

2. Yasotha,
   W/o. Sathiyamoorthy,
   D/o. Late. Subramanian,
   D.No. 4/634, North Street,
   Pachaperumalpatti Majara,
   Thuraiyur Taluk,
   Tiruchirappalli District.

3. Logeswari,
   W/o. Mayilahanan,
   W/o. Late. Subramanian,
   North Street,
   Kannanur Village,
   Thuraiyur Taluk,
   Tiruchirappalli District.

4. Geetha,
   W/o. Balasubramanian,
   D/o. Late. Subramanian,
   D.No. 3, North Street,
   Sirunavalur Village,

https://www.mhc.tn.gov.in/judis

WEB COPY

Thuraiyur Taluk,
Tiruchirappalli District.

..Petitioner(s)

Vs

B. Babu,
S/o. Buvana Gandhi,
D.No. 5/187, South Street,
Nettavelampatti Village,
Pachaperumalpatti Majara,
Thuraiyur Taluk,
Tiruchirappalli District.

..Respondent(s)

PRAYER in CMP(MD) No. 13328 of 2026: To Condone the delay of 186 days for filing the present civil revision petition against the fair and decretal order passed in E.P.No. 2 of 2025 in O.S.No. 98 of 2016 on the file of the District Munsif Court, Thuraiyur, Trichy District dated 13.10.2025 and thus render justice.

For Petitioner(s): M/s K.Prakash

For Respondent(s): Mr.S.Sivaprakash

ORDER

The petitioners/plaintiffs filed a suit in O.S.No.98 of 2016 before the District Munsif Court, Thuraiyur, Trichy District, seeking specific performance of the sale agreement entered into between the deceased Subramanian(1st plaintiff) and the respondent/defendant in respect of the suit property for a total sale consideration of Rs.45,000/-. On the date of

https://www.mhc.tn.gov.in/judis

WEB COPY

the agreement, the petitioners had paid an advance amount of Rs.30,000/-, and the balance sale consideration of Rs.15,000/- was to be paid within two months from the date of the agreement. Since the respondent/defendant refused to receive the balance sale consideration and execute the sale deed, the petitioners were constrained to file the above suit for specific performance.

2.During the pendency of the suit, both parties entered into a compromise, pursuant to which, an award was passed by the Lok Adalat. Thereafter, the petitioners filed E.P. No. 2 of 2025 seeking execution of the sale deed in terms of the Lok Adalat award. However, the Executing Court dismissed the execution petition on the ground that the petitioners had failed to pay the balance sale consideration of Rs.15,000/- on or before 18.09.2024. Consequently, the petition seeking execution of the sale deed was dismissed.

3.The petitioner contended that his father had already deposited the balance sale consideration of Rs.15,000/- into the Court vide challan dated 27.04.2016. However, due to his lack of knowledge regarding the said deposit, he had failed to bring the same to the notice of the Court, which consequently dismissed the execution petition. Aggrieved by the said order, the petitioner has filed the present revision petition with a delay of 186 days, seeking to set aside the order of dismissal.

https://www.mhc.tn.gov.in/judis

WEB COPY

4.The learned counsel for the respondent seriously opposed the petition, contending that the order passed by the trial Court was proper and did not warrant interference. It was further submitted that the petitioner had failed to satisfactorily explain the delay of 186 days in filing the revision petition. Hence, the learned counsel contended that, in the absence of sufficient cause for condoning the delay, the petition was liable to be dismissed.

5.Heard the learned counsel appearing on either side.

6.This Court is convinced with the reasons stated in the affidavit filed in support of this petition. Since the delay has been properly and satisfactorily explained, this petition is allowed and the delay is condoned subject to the condition that the petitioners shall pay a sum of Rs.1,500/- (Rupees One Thousand Five Hundred only), to the respondent, on or before 06.11.2026.

7.For “reporting compliance”, list the matter on 12.11.2026.

27-10-2026

NS

https://www.mhc.tn.gov.in/judis

WEB COPY

R.POORNIMA, J.
NS

CMP(MD) No. 13328 of 2026
IN
CRP(MD) SR NO. 68634 OF 2026

27-10-2026

https://www.mhc.tn.gov.in/judis