



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twenty Fourth day of March Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.1540 of 2023
IN
AS No.1089 of 1988

KALAI @ BALAGURUNATHAN

... PETITIONER/PETITIONER/
APPELLANT

Vs

1 B.BALAGURUNATHAN, (DIED),

... 1st RESPONDENT

2 B.AMMAIYAPPAN,

3 B.AVUDAIYAMMAL (DIED),

4 PANDIYA THEVAR (DIED),

5 M.C.BALRAJA (DIED),

6 RAMASUBRAMANIAM (DIED),

... RESPONDENTS 3 TO 6

7 PANDIYAN,

8 MINOR JAYABALA GURUNATHAN (DIED)

... 8th RESPONDENT

9 SENTHURPANDIAN,

... RESPONDENT/RESPONDENTS 2,7 &9/
RESPONDENTS 2,7 & 9

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the order dated 10.08.2022 passed in C.M.P.(MD).No.6174 of 2022 in A.S.No.1089 of 1988 and restore C.M.P.(MD).No.6174 of 2022 in A.S.No.1089 of 1988 to the file of this Honourable Court and render justice.

PRAYER IN AS.No.1089/1988:

Pleased to prefer this Memorandum of First Appeal against the judgment and decree dated 22.02.1988 made in O.S.No.61 of 1984 on

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



the file of Sub Court, Srivilliputhur in so far they are agree
appellant.

Prayer in CMP(MD). 6174/ 2022 :

To condone the delay of 1574 days in filling the petition for
resotration of the A.S.No.1089 of 1998 on the file of the of this
Hon`ble Court.

ORDER : This petition coming up for orders on this day, upon
perusing the petition and the affidavit filed in support thereof and
upon hearing the arguments of M/S.T.M.MADASAMY, Advocate for the
petitioner, the court made the following order:-

Being satisfied with the reasons stated in the affidavit filed
in support of this petition, this petition is allowed.

2.The Registry is directed to restore the CMP(MD).No.6174 of
2022 in A.S.No.1089 of 1988 and list the same for hearing.

sd/-
24/03/2023

/ TRUE COPY /

/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

THE SUBORDINATE JUDGE,
SRIVILLIPUTHUR.

COPY TO:

THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CMP(MD) No.1540 of 2023
IN
AS No.1089 of 1988
Date :24/03/2023

SA/SBN/SAR.4/28.03.2023/2P/3C