



WEB COPY



C.M.P. No. 10738 of 2025 in
S.A. No. 212 of 2018

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S.A. No. 212 of 2018

K. KUMARESH BABU, J.

This petition has been filed to restore the S.A. No. 212 of 2018 which was dismissed for non-prosecution on 17.03.2025.

2. By earlier order, it was recorded that the representative of the temple namely the Trusee had died and necessary steps to substitute the representative of the respondents 1 and 2 was directed to be made.

3. Learned counsel appearing for the petitioner / appellant would submit that he is not in a position to ascertain the present trustees and the counsel appearing for the first and second respondents had reported no instructions, as the temple had not responded to request to implead the appropriate parties. Thereafter, the second appeal had been dismissed for non-prosecution.

4. An application had also been taken out by the appellant to restore the second appeal which is supported by an affidavit of the learned counsel on record for the appellant stating that on the said date, they were engaged.

5. For the said reasons, the same is bonafide and accordingly, this application is allowed and the second appeal is directed to be taken on file.

18.07.2025

AT



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