



WEB COPY

WMP No. 19942 of 2018



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WMP No. 19942 of 2018

V.Rajasekaran (died)

1. R.Amsam,
W/o.V.Rajasekaran,

2. K.Buvana,
D/o.V.Rajasekaran

3. S.Sivasankari,
D/o. V.Rajasekaran

4. R.Ellakkiya,
D/o.V.Rajasekaran,
(P1 to P4 are LR's of deceased sole
petitioner V.Rajasekaran)

Petitioner(s)

Vs

1. The Sub Registrar
(Cooperatives) Cuddalore District
Central Cooperative Bank, Cuddalore.

2.The Deputy Registrar
Cooperative Societies, Cuddalore.

3.V.Senthamiah Selvan
4.V.Lakshmikanthan

Respondent(s)

PRAYER

To condone the delay of 211 days in filing the Petition to Restore the order of default dated 22.08.2017 dismissing the Writ Petition No.24416 of 2014.

For Petitioner(s): M/s.T.Dhanasekaran &
R.Agilesh



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For Respondent(s): Mr.L.S.M.Hasan Fizal, AGP
-R1 & R2

ORDER

This petition filed to condone the delay of 211 days in filing a petition to restore the writ petition, which had been dismissed for default on 22.08.2017.

2. The reason given in the affidavit is that, the original petitioner, Mr.V.Rajasekaran passed away on 22.08.2017. Subsequently, when the matter was listed, there was no representation on behalf of the deceased sole petitioner. Consequently, the writ petition had been dismissed for default on that date.

3. The petitioners' plead is that on account of the death of the sole bread winner of the family, they were put to deep prejudice and distress. Consequently, they were not in a position to contact their lawyer.

4. Subsequently, they came to know that the petition has been dismissed for default. Thereafter, they filed the present petition to restore the delay of 211 days.

5. I heard Mr.Agilesh for the petitioner and Mr.L.S.M.Hasan Fizal representing the respondents.

6.The reasons given in the affidavit are convincing. The death of the leader of the family would have put the petitioners into distress. The delay is also not excessive, but only 211 days.

7.Being satisfied with the reasons, this application is allowed. The delay



is condoned.

8. The Registry is directed to number the restoration petition and list for hearing on 08.01.2026.

9. Mr. Agilesh shall ensure that the entire set of papers would be served on Mr. L. S. M. Hasan Fizal before the next date of hearing.

18-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

Maya

To

1. The Sub Registrar
(Cooperatives) Cuddalore District
Central Cooperative Bank, Cuddalore.

2. The Deputy Registrar
Cooperative Societies, Cuddalore.



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V.LAKSHMINARAYANAN J.

Maya

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