



CMP NO. 9294 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-07-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

CMP NO. 9294 of 2025 in

S.A.No.661 of 2009

R.Ubaidullah
Res at NO.4/15, Pallivasal Street, Kaniyur,
Udumalapet, Thiruppur District and 3 Others

Appellant(s)

Vs

K.P.Ahamad Ali
S/o. M.A.Bashith 151 and 152, Kadathur Road,
Kaniyur Village, Udumalapet, Coimbatore Dist. and
another

Respondent(s)

For Appellant(s):

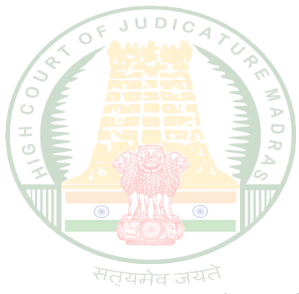
Mr.M.Syed Ibrahim

For Respondent(s):

M/s D.Bharathy for R2

ORDER

This Petition has been filed to restore the Second Appeal which had been dismissed for default / non-prosecution on 16.07.2021.



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2. In the affidavit filed in support of the Petition, it had been stated that the second appellant was not able to come over to Chennai to give instructions, since he was suffering from Corona related ailments from May 2021 onwards and had been admitted in the hospital.

3. The reasons stated in the affidavit filed in support of the Petition are acceptable. Even otherwise, the Second Appeal has been admitted and a substantial question of law has already been framed. This casts responsibility on the Court to answer the substantial question of law.

4. Taking all these factors into consideration, this Petition is allowed and the Second Appeal is restored on file.

31.07.2025

gsk

To

1. K.P.Ahamad Ali

S/o. M.A.Bashith 151 and 152, Kadathur Road, Kaniyur Village, Udumalapet, Coimbatore Dist.

2. Karuppusami

S/o. Palanisamy

No.152, Kadathur Road, Kaniyur Village, Udumalapet Taluk, Coimbatore Dist.

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S.A.No.661 of 2009