



WMP No. 1367 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

**WMP No. 1367 of 2025
IN WP NO. 581 OF 2011**

1. J.Sadhananda Sundaraj
S/o.Jeyaraj (late), No.14/59 Stone Rets.,
Club Road, Kothagiri 643217.
2. J.Margret Vijaya Thara, D/o.Jeyaraj (late),
No.51/essalve, Near Madha Illam, Old Ooty, Stone
House, Hill Post, Stone House Hill,
The Nilgiris 643002.
3. J.Grace Deva Sundari W/o.Late Tennyson,
Elim, C/o.Lazar Automobile Work Shop, Christian
Street, Thumkur, Karnataka 572101.
4. Surgna Sorajeni
No.109/a, Aloji Sait Compound, Coonoor, The
Nilgiris, 642102.

..Petitioners

Vs

1. The Executive Officer,
Kothagiri Special Grade Panchayat, Kothagiri.
2. C.Shanmugam
Kalpana Cottage, Kothagiri.

..Respondents

Prayer : To condone the delay of 4219 days in filing the restoration petition by the legal heirs of the deceased sole petition to restore WP.No. 581 of 2011 which was disposed as petitioner died on 27.11.2011.

For Petitioners :

Ms.S.T.P.Kuilmozhi

For Respondents :

Dr.T.Seenivasan – for R1



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Order

The writ petition had been dismissed on 09.01.2013 on the ground the writ petitioner had expired, but liberty was granted to the legal heirs to restore the writ petition. Consequently, the legal heirs have filed this application to condone the delay in filing the restoration petition. Notice was ordered to the respondents.

2. Insofar as the second respondent is concerned, Ms.T.P.Kuilmozhi states that the petition may be not pressed against him. Insofar as the first respondent is concerned, Dr.T.Seenivasan, Special Government Pleader takes notice.

3. The reason given in the affidavit for filing the application to restore the writ petition is being that the legal heirs were not aware of the counsel post the death of the original writ petitioner, and they came to know about the counsel and instructed him to file the restoration petition only in August 2024. The death of the petitioner's predecessor-in-title can be considered as a sufficient cause.

4. As liberty has been granted by this Court on the date of dismissal of the writ petition, I am inclined to consider the petition. The delay is condoned and the petition is ordered. Registry is directed to number the restoration petition and list it for hearing.

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V.LAKSHMINARAYANAN J.

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