



WEB COPY



W.M.P. No. 42563 of 2024 in W.P. No. 9967 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR
and
THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.M.P. No. 42563 of 2024 in W.P. No. 9967 of 2021

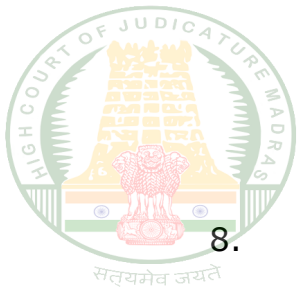
Pavadaikonar

Petitioner

vs.

1. The District Collector
Tiruvannamalai District
Thiruvannamalai
2. The Superintendent of Police
Tiruvannamalai District
Thiruvannamalai
3. The Revenue Divisional Officer
Tiruvannamalai Revenue Division
Thiruvannamalai District
4. The District Revenue Officer
Collectorate
Thiruvannamalai District
5. The Tahsildar
Keelpennathur Taluk
Thiruvannamalai District
6. The Head Surveyor
Keelpennathur Taluk Office
Keelpennathur
Thiruvannamalai District
7. Babu

Page No.1/6



W.M.P. No. 42563 of 2024 in W.P. No. 9967 of 2021

8. Chandrasekaran

Respondents

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Writ Miscellaneous Petition filed under Article 226 of the Constitution of India praying to set aside the order of dismissal for default dated 15.11.2024 in the above W.P.No.9967 of 2021 and consequently restore W.P.No.9967 of 2021 to the file of this Court.

For petitioner	Mr. K. Kathiresan
For RR1 to 6	Mr. T.K. Saravanan Additional Government Pleader
For R7	Mr. R. Karthikeyan
For R8	Mr. K.Balasubramaniam

ORDER

[made by M.SUNDAR, J.]

Captioned 'Writ Miscellaneous Petition' [hereinafter 'WMP' for the sake of brevity] has been filed with a prayer to restore W.P.No.9967 of 2021 which was dismissed for default on 15.11.2024.

2. Adverting to paragraphs 3 and 5 of support affidavit, Mr.K.Kathiresan, learned counsel for WMP petitioner, submits that name of the counsel was wrongly printed in the cause list and therefore, the counsel could not represent the matter and that resulted in dismissal of captioned writ petition for default.



W.M.P. No. 42563 of 2024 in W.P. No. 9967 of 2021

3. Issue notice to respondents. Mr. T.K. Saravanan, learned Additional Government Pleader, accepts notice on behalf of the RR 1 to 6, Mr. R. Karthikeyan, learned counsel, accepts notice for R7 and Mr.K. Balasubramaniam, learned counsel, accepts notice for R8.

4. Mr. T.K. Saravanan, learned State Counsel, fairly submits that he does not oppose the prayer owing to the reason which we have captured *supra*.

5. As regards private respondents *viz.*, R7 & R8, learned counsel submit that the dates of listing are given beforehand and the counsel should have been cautious and diligent in noting down the same and being present before the Court.

6. This Court, having considered the facts and circumstances of the case, nature of the matter and the reason captured *supra*, is of the considered view that the reason deserves to be accepted as date being given beforehand cannot be put against the WMP petitioner when counsel name is not shown in the cause list and therefore, prayer for restoration deserves to be acceded to. We do so.



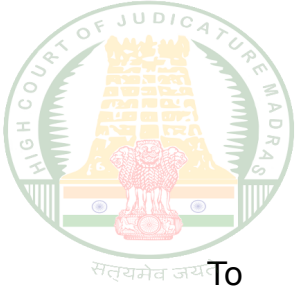
W.M.P. No. 42563 of 2024 in W.P. No. 9967 of 2021

WEB COPY

7. *Ergo*, the sequitur is, captioned WMP is ordered as prayed for. There shall be no order as to costs.

(M.S., J.) (T.V.K., J.)
31.07.2025

gya/cad
Index : Yes/No
NC : Yes/No



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To
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WEB COPY



W.M.P. No. 42563 of 2024 in W.P. No. 9967 of 2021

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and

T.VINOD KUMAR, J.

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W.M.P. No. 42563 of 2024
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