



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2026

CORAM

THE HONOURABLE MR.JUSTICE R. SAKTHIVEL

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CMP.No.3958 of 2024

in

S.A.No. 352 of 2006

Karunanidhi (Died)

1.Govindhan

2.Murugan

3.Viruthambal

4.Sathya

5.Nithya (Minor)

6.Kavitha (Minor)

7.Purushothaman (Minor)

Minor Represented by mother and guardian Viruthambal

All are residing at Kattu Edayar Village,

Ulundurpet Taluk

Villupuram District.

....Petitioners/Appellants

Versus

1.Tamizharasi

Kattu Edayar Village,

Ulundurpet Taluk

Villupuram District.

2.Malarmangai

Represented by mother and guardian Viruthambal

Kattu Edayar Village,

Ulundurpet Taluk

Villupuram District.



3.Purushothaman (Minor)
Represented by mother and guardian Viruthambal
Kattu Edayar Village,
Ulundurpet Taluk
Villupuram District.

...Respondents/Respondents

Prayer: Civil Miscellaneous Petition filed under Section 5 of the Limitation Act, 1963 praying to condone the delay of 678 days in filing the application to restore the Second Appeal.

For Petitioners : Mr.S.Ramachandran

ORDER

Mr.S.Ramachandran, Counsel on record for the Petitioners is before the Court.

2.The daily order dated **April 1, 2026** which reads thus:-

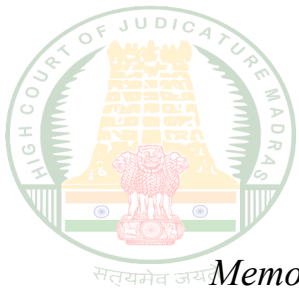
“No representation for the Petitioners.

2.Daily order dated April 17, 2025 reads thus:

Issue notice to the respondents through Court returnable by 09.07.2025. Private notice is also permitted.

Post the matter on 09.07.2025.

3.Despite sufficient opportunities given, the Petitioner(s) did not file Batta. With a view to adhere the principles of natural justice fully and in the interest of justice, this Court is inclined to issue fresh notice to the Respondents through Court as well as Post returnable by 03.06.2026. In addition, private notice with RPAD is permitted.



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4. *The Petitioners shall file a proper Batta Memo within seven working days from today, failing which, this petition shall stand dismissed automatically without any further reference to this Court.*

5. *List the matter on 03.06.2026”.*

3. Despite specific order dated April 1, 2026, the petitioners did not file any proper batta memo.

4. Today's Cause List which reads thus:

“Batta with petition & Affidavit copies not filed Reg., R1 to R3 (Through Court & Post). Batta Not filed Reg., R1 to R3 within 7 working days from Court order dated 01.04.2026 ”.

5. Accordingly, this Civil Miscellaneous Petition is dismissed. Considering the facts and circumstances of the case, there shall be no order as to costs.

03.06.2026

MSM



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R.SAKTHIVEL, J

MSM

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