



CMP No. 12473 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

CMP No. 12473 of 2025

in

SA NO. 1037 OF 2009

1.Anjalaiammal
2Velyautham
3.Annakili
4.Gengamirtham

Petitioner(s)

Vs

Kasinathan

Respondent(s)

For Petitioner(s): Mr. S. Kamadevan
For Respondent(s): Ms. M. Atchaya
for M/s. Sarvabhauman Associates

ORDER

This application has been filed to set aside the order of dismissal dated 25.05.2025 and to restore the appeal in S.A. No.1037 of 2009 and M.P. No.1 of 2009.

2. The learned counsel for the appellants submitted that the appellants lost track of the case as the counsel engaged by them had died and the appellants were not aware of the same.



3. Despite the appellants having engaged a counsel, they could not get the advantage of representation due to his demise. Since the appellants were unaware of the death of their counsel, they could not make any alternative arrangement to continue the appeal. As the circumstances were beyond the control of the appellants, the application deserves to be considered favourably and allowed.

4. Accordingly, this Petition is allowed.

5. The Registry is directed to restore the second appeal along with the M.P., and list the same after two weeks.

12-01-2026

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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Dr. R.N.MANJULA, J.

AT

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