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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2026

Coram:
THE HON'BLE MR.JUSTICE R.SAKTHIVEL

C.M.P.No.9154 of 2026
in S.A.No.562 of 2004

Mohanambal
W/o. Govindasamy
Permabalur,
Trichy District.

...Petitioner

Versus

1.Chellammal (Died)
W/o. Natesan Pillai

2.Muthiah Pillai (Died)
S/o. Natesan Pillai

3.Dhanabal (Died)
S/o. Natesan Pillai

4.Ponmalar
D/o. Natesan Pillai

5.Umesh (Died)
D/o. Natesan Pillai

6.Kannagambujam
D/o. Natesan Pillai

All are residing at
Stamp Vendor Street,
Trichy District.

...Respondents

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Prayer: This Civil Miscellaneous Petition has been filed under Section 5 of Limitation Act praying to condone the delay of 718 days in filing the restoration petition in S.A.No.562 of 2004 with respect of Respondents 1, 2, 3 and 5 which was dismissal on 12.01.2024.

For Petitioner : Mr.R.Sathish Kumar
for M/s.Sarvabhauman Associates

For Respondents – 4 & 6 : Ms.A.Nilaphar
for Ms.R.Meenal

ORDER

This Civil Miscellaneous Petition has been filed under Section 5 of Limitation Act, praying to condone the delay of 718 days in filing the restoration petition seeking to restore S.A.No.562 of 2004 which was dismissed as against the Respondents 1, 2, 3 & 5 on 12.01.2024.

2. Heard Mr.R.Sathish Kumar, Counsel representing M/s.Sarvabhauman Associates, Counsel on record for the Petitioner/Appellant and Ms.A.Nilaphar, Counsel representing Ms.R.Meenal, Counsel on record for the Respondents 4 & 6.

3. Representing Counsel for the Respondents 4 & 6 submitted that the Counsel on record has no objection for this petition being allowed.

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4. This Court has perused the case files.

5. Having satisfied with the reasons stated in the affidavit filed in support of this petition and with a view to decide the matter on merits, this Court is inclined to allow this petition. Hence, this Civil Miscellaneous Petition is ordered accordingly.

6. Registry is directed to number the petition filed by the Appellant for restoration of S.A.No.562 of 2004, if it is otherwise in order and list the same for hearing on 01.06.2026.

29.04.2026

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Index: Yes/No

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R.SAKTHIVEL, J.

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