



WEB COPY

CMP No. 12758 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

**CMP No. 12758 of 2022
in SA No. 1908 of 2004**

R. Rasheeda Banu,

Appellant(s)

Vs

1. S. Jayaraman

2.K. Kolandan

Respondent(s)

PRAYER

To Condone the delay of 120 days in seeking restoration of the above Second Appeal that was dismissed for non-prosecution on 07.01.2022

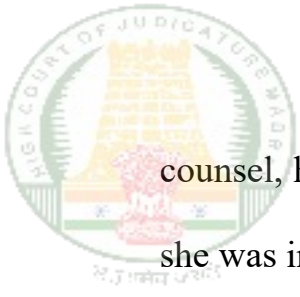
For Appellant(s): M/s.S.P. Nirmala Parameshwari

For Respondent(s): Mr.T.Danyakumar(R2)

O R D E R

The petitioner has filed this application to condone the delay in filing the restoration application.

2.The petitioner alleges that she is a senior citizen aged about 74 years. She was not aware of the dismissal of the appeal and came to know of the same only from a clerk of the erstwhile counsel. She has also stated that the erstwhile



counsel, having attained the age of 88 years, had left active practice, and hence, she was in the dark regarding the appeal.

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3. Notice had been ordered in the application by this Court.

4. The notice insofar as the 1st respondent was returned stating that he is no more. A perusal of the papers shows that the 2nd respondent has purchased the suit property from the 1st respondent. By virtue of the purchase, the 2nd respondent becomes his legal representative. Having alienated the property, the 1st respondent nor his legal heirs would have any interest in the litigation.

5. The condone delay petition is not seriously opposed by the respondent.

6. I am convinced with the reasons stated in the affidavit. This application is allowed. The delay is condoned.

7. Office is directed to number the restoration petition and list for hearing on 22.01.2026.

20-01-2026

Maya



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V.LAKSHMINARAYANAN J.

Maya

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