



WEB COPY

CMP No. 484 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM:

**THE HON'BLE MR JUSTICE N. SATHISH KUMAR
AND
THE HON'BLE MR.JUSTICE R.SAKTHIVEL**

**CMP No.484 of 2026
in
A.S.S.R.No.42400 of 2012
and
C.M.P.No.972 of 2026
in
A.S.S.R.No.32509 of 2011
and
A.S.No.37 of 2026
---**

The Tamil Nadu Textile Corporation Limited,
Rep. By its Managing Director,
No.15, Huzur Road, Coimbatore - 18
.. Appellant in all cases

Vs

1. K. Rajeswaran , Proprietor,
Sri Lakshmi Textiles, Power House Road,
Somanur, Coimbatore District.

G. Leelavathy (Died)
2. P. Damodarasamy
3. K. Kandasamy. C/o. Lakshmi Textiles, Power
House Road, Somanur, Coimbatore District.
4. Girija, W/o. Ponnusamy
5. Anuradha, W/o Ponnusamy



..Respondent(s) in all cases

Civil Miscellaneous Petition No.484 of 2026 is filed in A.S.S.R.No.42400 of 2012, which was filed under Section 5 of the Limitation Act, to condone the delay of 2391 days in filing the above petition for restoration of A.S.S.R.No.42400 of 2012.

Civil Miscellaneous Petition in C.M.P.No.972 of 2026 in A.S.S.R.No.32509 of 2011 is filed under Order II Rule 9(4) of the Appellate Side Rules of this Court praying to condone the delay of 301 days in re-presenting the appeal papers filed in A.S.S.R.No.32509 of 2011.

For Appellant(s): Mr.T.R.Rajagopalan, Senior Counsel for
M/s.T.R.Rajaraman & C.V. Vijayakumar,

ORDER
(Order of the Court was made by N.Sathish Kumar J.)

This application is a confusion that had arisen in numbering the appeal and this application is given wrong number.

2. The fact remains that originally, the appeal had been filed challenging the judgment and decree of the trial Court in O.S.No.39 of 2005 in the year 2011 itself in A.S.S.R.No.32509 of 2011. Along with the said A.S.S.R.No., an application is also taken out to condone the delay of 33 days in re-presenting the appeal. However, the Registry has, without numbering this application, is placing the matter before this Court and has assigned A.S.S.R.Nos.42400,



42402 and 42403 of 2012.

3. It appears that those S.R.Nos. are no way connected with the present appeal. Now a different application in C.M.P.No.484 of 2026 has been taken out to condone the delay of 2391 days in filing the restoration petition, namely A.S.S.R.No.42400 of 2012, which was dismissed for default.

4. We find that those applications are no way connected with the present appeal. Therefore, we are of the view that the delay of 301 days in re-presenting the appeal is condoned and A.S.S.R.No.32509 of 2011 is directed to be numbered, if it is otherwise in order.

5. Further, Registry is directed to send notice to the respondents in A.S.No.37 of 2026 returnable by 18.02.2026.

6. Further, C.M.P.No.484 of 2026 shall stand closed.

7. Post the appeal in A.S.No.37 of 2026 for hearing on 18.02.2026.

8. A.S.S.R.No.42400 of 2012 is closed.

9. Registry is also directed to call for records from the trial Court in the meantime.

(N.S.K.,J.) (R.S.V.,J.)
12-01-2026

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and
R.SAKTHIVEL, J.**

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