



CMP(MD) NO. 8062 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30-06-2026

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NO. 8062 of 2026

in

SA(MD) NO. 279 of 2011

1.Savithiri Mohan

2.Karthikeyan

Petitioner(s)

Vs

1.Rajappa (Died)

2.R.Vijayalakshmi

3.R.Vijayalatha

4.R.Balachandar

5.R.Jeyachandar

Respondent(s)

For Petitioner(s):

Mr.K.Mahendran,
Advocate

For Respondent(s):



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Mr.R.Maheswaran,
Advocate for R2 to R5

R1 - Died

Prayer : Civil Miscellaneous Petition is filed under Order 41 Rule 19 read with Section 151 of the Code of Civil Procedure to set aside the order of the dismissal as abated in Second Appeal in S.A.(MD)No.279 of 2011 dated 30.01.2017 and restore the same on the file of this Court.

ORDER

This Civil Miscellaneous Petition has been filed to set aside the order of the dismissal as abated in Second Appeal in S.A.(MD)No.279 of 2011 dated 30.01.2017 and restore the same on the file of this Court.

2. Heard the learned counsel appearing on either side and perused the affidavit filed in support of this petition.

3. The learned counsel for the petitioners submitted that the delay of 3298 days in filing the present restoration petition had already been condoned by this Court on 03.06.2026 in C.M.P.(MD)No.3745 of 2026 in S.A.(MD)No.279 of 2011.



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4. The learned counsel for respondent Nos.2 to 5 has not raised any serious objection to this petition.

5. Being satisfied with the reasons stated in the affidavit, and also considering the fact that this is only a consequential petition, this Civil Miscellaneous Petition is allowed.

30-06-2026

Note : *The Registry is directed to restore the Second Appeal in S.A. (MD)No.279 of 2011 and list the same on 03.07.2026.*

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P.VADAMALAI, J.

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in
SA(MD) NO. 279 of 2011**

30.06.2026