



CMP(MD) NO. 9657 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03-03-2026**

CORAM

THE HONOURABLE MS.JUSTICE R. POORNIMA

CMP(MD) No.9657 of 2025

in

CMP(MD) No.2016 of 2025

in

SA(MD)No.152 of 2003

1.VELLAISAMY AMBALAM (Died)

2.V.Subbiah

Petitioner(s)

Vs.

1.Chinna Ambalam

2.Sonai Muni Ambalam

3.Maharajan

4.Indrani

5.B.Selvi

6.V.Murugan

7.Ramalakshmi

8.Devathi

Respondent(s)



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WEB COPY For Petitioner(s): Mr.S.Thamizh Poonkuilmozhi

For Respondent(s): M/s.G.Gomathisankar

Prayer : to condone the delay of 225 days in filing the present petition to restore CMP(MD) No.2016/2024 in SA.No.152/2003 dated 22.07.2024 and pass such further orders and thus render justice.

ORDER

This application in CMP(MD)No.9657 of 2025 has been filed to restore the CMP(MD) No.2016/2024 in SA.No.152/2003 on the file of this Court which was dismissed for default on 22.07.2024.

2. The learned counsel for the petitioner submitted that when the matter came up for hearing on 22.07.2024 as item No.11 in CMP(MD)No.2016 of 2024 for restoration and setting aside the dismissed for default order. Since in the cause list, the counsel name was wrongly mentioned, he could not appear on that day and prayed to restore the order.

3. The learned counsel for the respondents seriously objected



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by stating that already the petitioner was not appeared thrice and even in the restoration petition also, he was absent and the same was allowed on costs and seriously objected that the petitioner having knowledge about the hearing and purposely not appear before this Court.

3. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition for condone the delay is allowed subject to condition that the petitioner should appear and argue when the matter was posted for hearing, on the same day itself argue the matter.

4. List the restoration petition on 06.03.2026.

03-03-2026

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