



CMP(MD) NO. 5308 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-06-2026

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NO. 5308 of 2026

IN

AS(MD) NO. 33 of 2011

Shanmugiah Pandian

Petitioner(s)

Vs

1.K.A.Velappan

2.P.John Pandian

Respondent(s)

For Petitioner(s):

Mr.M.R.S.Prabhu,
Advocate

For Respondent(s):

Mr.R.Suresh Kumar,
Advocate for R2

R1 – No Appearance

Prayer : Civil Miscellaneous Petition is filed under Order 41 Rule 19 r/w. Section 151 of the Code of Civil Procedure to set aside the order passed by this Court dated 29.06.2022 in the above appeal, restore the appeal to the file of this Court.

ORDER

1/4



CMP(MD) NO. 5308 of 2026

WEB COPY

This Civil Miscellaneous Petition has been filed seeking to set aside the order dated 29.06.2022 passed by this Court in the above appeal and to restore the appeal to 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 petitioner submitted that the delay of 438 days in filing the present restoration petition had already been condoned by this Court on 17.03.2025 in C.M.P.(MD)No.15391 of 2025 in A.S.(MD)No.33 of 2011.

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

5. The name of the 1st respondent has been printed in the cause list.



CMP(MD) NO. 5308 of 2026

WEB COPY

6. 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.

09-06-2026
(2/2)

*Note : The Registry is directed to restore the Appeal Suit in A.S.(MD) No.33 of 2011 and list the same on **22.06.2026**.*

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CMP(MD) NO. 5308 of 2026

P.VADAMALAI, J.

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in
AS(MD) NO. 33 of 2011**

**09.06.2026
(2/2)**