



CMP(MD) NO. 12306 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19-01-2026

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NO. 12306 of 2025

in

AS(MD) NO. 147 of 2015

E.Jeyakumar

Petitioner(s)

Vs

K.S.Sathia Das

Respondent(s)

For Petitioner(s):

Ms.K.Shwathini
for Mr.G.Prabhu Rajadurai

For Respondent(s):

Mr.V.M.Bala Mohan Thampi,
Advocate

Prayer: Civil Miscellaneous Petition is filed to set aside the order dated 03-04-2023 passed by this Court in A.S.No.147 of 2015 which was dismissed for default and restore the same.

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ORDER

This Civil Miscellaneous Petition has been filed to set aside the order dated 03.04.2023 passed by this Court in A.S.(MD)No.147 of 2015, by which the appeal was dismissed for default, and to restore the same.

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

3. Even after granting sufficient opportunities, the counter affidavit on behalf of the sole respondent has not been filed. However, the learned counsel for the sole respondent raised formal objections to this petition.

4. The learned counsel for the petitioner submitted that the delay of 165 days in filing the present restoration petition was already condoned by this Court on 22.07.2025 in C.M.P.(MD)No.15298 of 2023 in A.S. (MD)No.147 of 2015.



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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.

19-01-2026

Note : *The Registry is directed to restore the Appeal Suit in A.S.(MD) No.147 of 2015 and list the same under the caption "for final hearing" on **03.02.2026**.*

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P.VADAMALAI, J.

mn

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AS(MD) NO. 147 of 2015

19.01.2026