



CMP(MD) NO. 3758 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25-03-2026**

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NO. 3758 of 2026

in

AS(MD) NO. 210 of 2009

Kannaki

Petitioner(s)

Vs

1.Saroja

2.Puvanambika

3.The Commissioner,
Pudukottai Municipality,
at present upgraded as
Pudukottai Corporation,
Pudukottai.

(Memo dated 14.11.2025 in
U.S.R.No.47189 is recorded
to the effect that R3
exonerated, as R3 is only a
formal party vide court order
dated 08.12.2025 made in
C.M.P.(MD)No.15820 of
2025 in A.S.(MD)No.210 of
2009 by PVMJ)

Respondent(s)

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For Petitioner(s):

Mr.P.Santhana Krishnan,
Advocate

For Respondent(s):

Mr.R.M.S.Sethuraman
for M/s.K.B.S.Law Office for R1 & R2

R3 - Exonerated

Prayer : Civil Miscellaneous Petition is filed under Order 41 Rule 19 of the Code of Civil Procedure to restore the appeal in A.S.(MD) No. 210 of 2009, which was dismissed for default on 23.02.2018.

ORDER

This Civil Miscellaneous Petition has been to restore the Appeal Suit in A.S.(MD)No.210 of 2009, which was dismissed for default on 23.02.2018.

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 2734 days in filing the present restoration petition had already been condoned by this Court on 27.02.2026 in C.M.P.(MD)No.15820 of 2025,



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upon imposing costs of Rs.10,000/- (Rupees Ten Thousand only) on the petitioner, which was subsequently paid. He further submitted that the present petition seeking to restore the appeal suit is only a consequential petition and the same may be allowed.

4. The learned counsel for respondent Nos.1 and 2 has not raised any serious objection to this petition.

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

25-03-2026

Note : *The Registry is directed to restore the Appeal Suit in A.S.(MD) No.210 of 2009 and list the same on 10.04.2026.*

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P.VADAMALAI, J.

mkkn

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in
AS(MD) NO. 210 of 2009**

25.03.2026