

M.Narashimman vs M.Jothi

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Court : Chennai

Decided On : Feb-27-2026

Judge : Honourable Mr Justice N. Sathish Kumar, Honourable Mr. Justice R. Sakthivel

Appeal No. : CMP/6468/2020

Appellant : M.Narashimman

Respondent : M.Jothi

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR AND THE
HONOURABLE MR.JUSTICE R.SAKTHIVEL AND AS NO. 56 OF 2016

1.M.Narashimman 2.Mandal Revathi Petitioners/Appellants Vs

1. M.Jothi 2.M.Santha 3.M.Amudha 4.M.Jayanthi 5.M.Dhanasekar
6.M.Selvam Respondents/Respondent

PRAYER in CMP No. 6468 of 2020: Petition filed under Section 5 of Limitation Act to condone the delay of 1117 days in filing the restoration petition in AS.No.56/2016 on the file of this Court dated 01/12/2016.
PRAYER in AS No. 56 of 2016: Appeal Suit filed under 96 of Code of Civil Procedure to set aside the judgment and decree passed in O.S.No.5 of 2013 on the file of the II Additional District and Sessions Judge, Vellore at Ranipet (Vellore Principal District Court in O.S.No.27 of 2012) dated 21.07.2015. For Appellant(s): Mr.K.Anbarasan

ORDER

(Order of the Court was made by N.Sathish Kumar J.) This petition has been filed to condone the delay of 1117 days in filing the restoration petition in AS.No.56/2016 on the file of this Court dated 01.12.2016.

2. This Court vide order dated 01.12.2016 directed the appellants to pay

batta to the concerned respondents on or before 23.12.2016, failing compliance, the appeals would deemed to have been dismissed. Since the condition was not complied with, it was dismissed for default. The restoration petition was not filed within time and thus, the present petition has been filed to condone the delay of 1117 days in filing the restoration petition.

3. Mr.K.Anbarasan, the learned counsel submitted that they have already

given change of vakalat to the petitioners/appellants, however, none appeared for the petitioners/appellants. Further, all along batta has not been paid to the concerned respondents.

4. In such view of the matter, this petition stands dismissed for default. No costs. (N.SATHISH KUMAR J.)(R.SAKTHIVEL J.) dhk Index:Yes/No

Speaking/Non-speaking order

Internet:Yes Neutral Citation:Yes/No To 1.The II Additional District and Sessions Judge II Additional District and Sessions Court, Vellore at Ranipet, Vellore District

N.SATHISH KUMAR J. AND R.SAKTHIVEL J. dhk AND AS NO. 56 OF 2016

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