

Mohanambal Vs Chellammal

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Court : Chennai Orders

Decided On : Apr-29-2026

Judge : Honourable Mr.Justice R.Sakthivel

Appeal No. : CMP/9154/2026

Appellant : Mohanambal

Respondent : Chellammal

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2026

Coram:

THE HON'BLE MR.JUSTICE R.SAKTHIVEL Mohanambal W/o.
Govindasamy Permabalur, ...Petitioner

Versus

1.Chellammal (Died) W/o. Natesan Pillai 2.Muthiah Pillai (Died)
3.Dhanabal (Died) 4.Ponmalar 5.Umesh (Died) 6.Kannagambujam All
are residing at Stamp Vendor Street, ...Respondents Prayer: This Civil
Miscellaneous Petition has been filed under Section 5 of Limitation Act

praying to condone the delay of 718 days in filing the restoration petition in S.A.No.562 of 2004 with respect of Respondents 1, 2, 3 and 5 which was dismissal on 12.01.2024. For Petitioner : Mr.R.Sathish Kumar for M/s.Sarvabhauman Associates For Respondents - 4 & 6 : Ms.A.Nilaphar for Ms.R.Meenal

ORDER

This Civil Miscellaneous Petition has been filed under Section 5 of Limitation Act, praying to condone the delay of 718 days in filing the restoration petition seeking to restore S.A.No.562 of 2004 which was dismissed as against the Respondents 1, 2, 3 & 5 on 12.01.2024.

2. Heard Mr.R.Sathish Kumar, Counsel representing

M/s.Sarvabhauman Associates, Counsel on record for the Petitioner/Appellant and Ms.A.Nilaphar, Counsel representing Ms.R.Meenal, Counsel on record for the Respondents 4 & 6.

3. Representing Counsel for the Respondents 4 & 6 submitted that the Counsel on record has no objection for this petition being allowed.

4. This Court has perused the case files.

5. Having satisfied with the reasons stated in the affidavit filed in

support of this petition and with a view to decide the matter on merits, this Court is inclined to allow this petition. Hence, this Civil Miscellaneous Petition is ordered accordingly.

6. Registry is directed to number the petition filed by the Appellant for restoration of S.A.No.562 of 2004, if it is otherwise in order and list the same for hearing on 01.06.2026. mrr Index: Yes/No

R.SAKTHIVEL, J.

mrr

