



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-04-2026

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CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRP No. 2868 of 2026
and CMP.No.11698 of 2026**

1. Jeyandran Daniel Moses
S/o Richard Moses, No.1D, Ashreya 34,
fourth seaward Road, Valmiki,
Thiruvannamayar, Chennai 600011

Petitioner(s)

Vs

1. J.B.Malhotra
S/o T.Jaichand Malhotra Res at No. Old NO.5, New No.13,
Vasu Street, Kilpauk, chennai 600 010

2.Mahesh Kumar Malhotra
S/o T.Jaichand Malhotra Res at No. Old NO.5, New No.13,
Vasu Street, Kilpauk, chennai 600 010

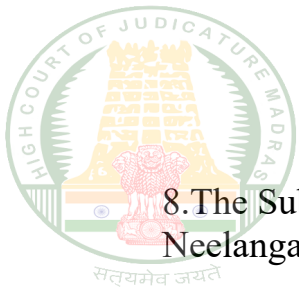
3.Suresh Kumar Malhotra
S/o T.Jaichand Malhotra Res at No. Old NO.5, New No.13,
Vasu Street, Kilpauk, chennai 600 010

4.Kanchan Malhotra
W/o Suresh Malhotra Res at No. Old NO.5, New No.13, Vasu
Street, Kilpauk, chennai 600 010

5.Hitesh Malhotra
S/o Suresh Malhotra Res at No. Old NO.5, New No.13, Vasu
Street, Kilpauk, chennai 600 010

6.Avinash Malhotra
S/o Suresh Malhotra Res at No. Old NO.5, New No.13, Vasu
Street, Kilpauk, chennai 600 010

7.Shankar Mohan
S/o M K Pillai No.121 GST Road, Chengalpattu District



8. The Sub Registrar
Neelangarai, Chennai

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Respondent(s)

PRAYER in CRP.No.2868 of 2026

To set aside the IA.No.4 of 2025 in OS.No.1085 of 2024 order dated 13.03.2026 passed by District Munsif Cum Judicial Magistrate, Sholinganallur, Chennai.

Prayer in CMP.No.11698 of 2026:-

to stay the operation of the order dated 13.03.2026 made in I.A.No.4 of 2025 in O.S.No.1085 of 2024 on the file of the District Munsif Cum Judicial Magistrate, Sholinganallur, Chennai.

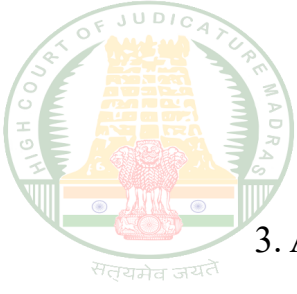
For Petitioner(s): MR.S.GANESAN FOR
M/S.Colonel and Ganesan
Associates

For Respondent(s):

ORDER

Aggrieved by the order passed in I.A.No.4 of 2025 in O.S.No.1085 of 2024 dated 13.03.2026, the 2nd defendant has preferred this Civil Revision Petition.

2. The plaintiffs/Respondents 1 to 3 have filed application to restore the suit which was dismissed for default on 04.04.2025 and the same was allowed by the trial Judge inspite of the objection raised by the defendants stating that the 3rd plaintiff died and his legal heirs has not been impleaded and the suit cannot be restored as the same is not filed in time and that the suit is deemed to be abated. The learned trial Judge without considering the said objection, allowed the I.A.



3. Admit. Notice.

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4. The order passed by the District Munsif cum Judicial Magistrate, Sholinganallur, dated 13.03.2026 in I.A.No.4 of 2025 in O.S.No.1085 of 2024 is stayed.

5. Post the CRP on 13.07.2026.

30-04-2026

nvsri

To
The District Munsif Cum Judicial Magistrate, Sholinganallur, Chennai.



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T.V.THAMILSELVI J.

nvsri

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