



WEB COPY

CMP.Nos.18075, 18076
18077 of 2025
AS No. 199 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-10-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CMP NO. 18075 OF 2025, CMP NO. 18076 OF 2025 and CMP NO. 18077
OF 2025**

in

AS No. 199 of 2025

CMP No. 18075 of 2025

1. U.R.Vadivel,
S/o. Rangasamy, 4/137,
Nanjundapuram, Ramanathapuram,
Coimbatore South Taluk, Coimbatore -
641 045.

Appellant(s)

Vs

1. R.Punitha,
W/o.Ramaraj, 153, Akrahara Street,
Perundurai, Erode District -638 052.
P.Shanmugam (Deceased) S/o.Late
N.Palanisamy, Old No.8E-New D.17,
Tiruvalluvar Street, Veerapandi Village,
Press Colony Post, Coimbatore North
Taluk, Coimbatore.

2.K.G.Varadharajan,
S/o.V.Gopalan, 912, M.C/M.I.G.C. 4th



CMP.Nos.18075, 18076

18077 of 2025

AS No. 199 of 2025



Block, HUTCO Colony, Ganapathi Ma
Nagar, Coimbatore -641 006.

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3.Rajathi,

W/o.T.R.Jambulingam, D.Nos.264 and
265, Jeeva Thottam, K.Vadamadurai,
Karudampalayam, Coimbatore-641
017.

4.J.Poornima,

D/o.T.R.Jambulingam, D.Nos.264 and
265, Jeeva Thottam, K.Vadamadurai,
Karudampalayam, Coimbatore -641
017.

5.J.Selvam,

W/o.Late P.Shanmugam, Residing at
Old No.8E-New D.17, Tiruvalluvar
Street, Veerapandi Village, Press
Colony Post, Coimbatore North Taluk,
Coimbatore.

6.S.Anukeerthana,

D/o.Late P.Shanmugam, Residing at
Old No.8E-New D.17, Tiruvalluvar
Street, Veerapandi Village, Press
Colony Post, Coimbatore North Taluk,
Coimbatore.

7.P.S.Abinaya,

D/o.Late P.Shanmugam, Residing at
Old No.8E-New D.17, Tiruvalluvar
Street, Veerapandi Village, Press
Colony Post, Coimbatore North Taluk,
Coimbatore.



CMP.Nos.18075, 18076

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Respondent(s)

CMP No. 18076 of 2025

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Nanjundapuram, Ramanathapuram,
Coimbatore South Taluk, Coimbatore -
641 045.

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Karudampalayam, Coimbatore -641
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5.J.Selvam,
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6.S.Anukeerthana,
D/o.Late P.Shanmugam, Residing at
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Coimbatore.

7.P.S.Abinaya,
D/o.of Late P.Shanmugam, Residing at
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Street, Veerapandi Village, Press
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Coimbatore.

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CMP No. 18077 of 2025

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Nanjundapuram, Ramanathapuram,
Coimbatore South Taluk, Coimbatore -
641 045.

Appellant(s)

Vs



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017.

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Colony Post, Coimbatore North Taluk,
Coimbatore.

6.S.Anukeerthana,
D/o.Late P.Shanmugam, Residing at



CMP.Nos.18075, 18076

18077 of 2025

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Old No.8E-New D.17, Tiruvalluvar
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Coimbatore.

7.P.S.Abinaya,
D/o.Late P.Shanmugam, Residing at
Old No.8E-New D.17, Tiruvalluvar
Street, Veerapandi Village, Press
Colony Post, Coimbatore North Taluk,
Coimbatore.

Respondent(s)

CMP No. 18075 of 2025

PRAYER:- This petition filed under Section 5 of the Limitation Act, praying to condone the delay of 50 days in filing the petition to set aside the abatement due to the death P.Shanmugam, the 2nd Respondent in the above A.S.No.199 of 2025.

CMP No. 18076 of 2025

PRAYER:- This petition filed under Order XXII Rule 9(2) of CPC, praying to set aside the abatement caused by the death of P.Shanmugam, the 2nd Respondent in the above A.S.No.199 of 2025.

CMP No. 18077 of 2025

PRAYER:- This petition filed under Order XXII Rule 9(2) of CPC, to bring the following persons- the Respondents 6 to 8 herein namely (1) J.Selvam, Age 50 Years, Wife (2) S.Anukeerthana, Age 24 Years, Daughter (3) P.S.Abinaya, Age 18 years, Daughter, (Relationship with Deceased P.Shanmugam-2nd Respondent in A.S.No.199 of 2024) All are residing at Old No.8E-New D.17, Tiruvalluvar Street, Veerapandi Village, Press Colony Post, Coimbatore North Taluk, Coimbatore, as the Legal Representatives of the Deceased



P.Shanmugam-2nd Respondent and rank them as Respondents 6 to 8 in the above A.S.No.199 of 2025.

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For Appellant(s): M/s. V. Ravi

For Respondent(s): M/s.S.Rajendrakumar (for R1)

COMMON ORDER

Civil Miscellaneous Petition No.18075 of 2025 has been filed seeking to condone the delay of 50 days in filing the petition to set aside the abatement due to the death P.Shanmugam, the 2nd Respondent in A.S.No.199 of 2025.

1.1. Civil Miscellaneous Petition No.18076 of 2025 has been filed seeking to set aside the abatement caused by the death of P.Shanmugam, the 2nd Respondent in A.S.No.199 of 2025.

1.2. Civil Miscellaneous Petition No.18077 of 2025 has been filed seeking to bring the Respondents 6 to 8 herein namely (1) J.Selvam, (2) S.Anukeerthana and (3) P.S.Abinaya, as the Legal Representatives of the Deceased P.Shanmugam-2nd Respondent in A.S.No.199 of 2025.

2. Heard Mr.V.Ravi, the learned counsel for the petitioner.



3. All these petitions notices were taken by the proposed respondents being the legal representatives of the second respondent and despite service of notice, they have not chosen to enter appearance either in person or through counsel.

4. There are no serious objections on behalf of the first respondent.

5. Having considered the submissions made by the learned counsel for the petitioner and having considered the petitioner's affidavits in support of these petitions, it is appropriate just and necessary to allow these miscellaneous petitions.

6. In the result, these miscellaneous petitions are allowed.

22-10-2025

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Note: Registry is directed to carry out necessary amendments in A.S.No.199 of 2025 pursuant to the aforesaid order.



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CMP.Nos.18075, 18076

18077 of 2025

AS No. 199 of 2025

P.B.BALAJI J.

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NO. 18076 OF 2025 and CMP NO.
18077 OF 2025
in
AS No. 199 of 2025**

22-10-2025

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