

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2025

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

CMP(MD).Nos.16029, 16032, 16034, 16036, 16037 & 16038 of 2025 and

CMP(MD)Nos.16041, 16044, 16046, 16048, 16047 and 16050 of 2025

in S.A.Nos.2069 & 2070 of 2001

CMP(MD).Nos.16029, 16032, 16034, 16036, 16037 & 16038 of 2025:

C.Rajan

Petitioner(s)

Vs

1.Ayyappan (Died)

2.Parameswaran (Died)

3.Paulu Pillai

4.Paulraj

5.Premakala

Chellappan (Died)

6.Haridas

7.Radha

Rajeswari @ Vimala (Died)

8.Amala Manoharan

9.Jaya Sekaran

10.Josephin Mary

11.Jesus Christopher

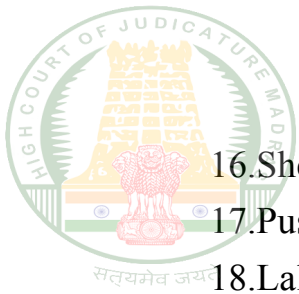
12.C.Margeret

13.Soman

14.Grellet

15.Grant

1/5



16.Sherly
17.Pushpam
18.Lalitha

WEB COPY 19.Ravi Shankar

20.Cibi Paramesh

21.Giri Paramesh

Respondent(s)

Prayer: Civil Miscellaneous Petitions filed under Section 5 of the Limitation Act and Order 22 Rule 9 of CPC, to condone the delay of 59 and 660 days in filing the application to set aside the abatement caused due to the death of the deceased 1st respondent/1st appellant, Ayyappan and 2nd respondent/2nd appellant, Parameswaran in the Second Appeal; to set aside the abatement due to the death of the deceased 1st respondent/1st appellant, Ayyappan and 2nd respondent/2nd appellant, Parameswaran in the Second Appeal; and to bring on record the respondents 17 to 19 herein, the legal heirs of the deceased 1st respondent/1st appellant and rank them as respondents 17 to 19 and bring on record the respondents 20 and 21 herein, the legal heirs of the deceased 2nd respondent/2nd appellant and rank them as respondents 20 and 21 in the above Second Appeal.

CMP(MD)Nos.16041, 16044, 16046, 16048, 16047 and 16050 of 2025:

C.Rajan

Petitioner(s)

Vs

1.Ayyappan (Died)
2.Parameswaran (Died)
3.Paulu Pillai
4.Paulraj

2/5



5.Premakala

Chellappan (Died)

6.Radha

Rajeswari @ Vimala (Died)

7.Amala Manoharan

8.Jaya Sekaran

9.Josephin Mary

10.Jesus Christopher

11.C.Margeret

12.Soman

13.Grellet

14.Grant

15.Sherly

16.Pushpam

17.Lalitha

18.Ravi Shankar

19.Cibi Paramesh

20.Giri Paramesh

Respondent(s)

Prayer: Civil Miscellaneous Petitions filed under Section 5 of the Limitation Act and Order 22 Rule 9 of CPC, to condone the delay of 59 and 660 days in filing the application to set aside the abatement caused due to the death of the deceased 1st respondent/1st appellant, Ayyappan and 2nd respondent/2nd appellant, Parameswaran in the Second Appeal; to set aside the abatement due to the death of the deceased 1st respondent/1st appellant, Ayyappan and 2nd respondent/2nd appellant, Parameswaran in the Second Appeal; and to bring on record the respondents 16 to 18 herein, the legal heirs of the deceased 1st respondent/1st appellant and rank them as respondents 16 to 18 and bring on record the respondents 19 and 20 herein, the legal heirs of the



deceased 2nd respondent/2nd appellant and rank them as respondents 19 and 20 in the above Second Appeal.

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For Petitioner(s): Mrs.J.Anandhavalli in all CMPs

For Respondent(s): Mr.R.J.Karthick for R1 to R5 in all CMPs

COMMON ORDER

These applications have been taken out to condone the delay of 59 and 660 days in filing the applications to set aside the abatement caused due to the death of the deceased 1st respondent/1st appellant, Ayyappan and 2nd respondent/2nd appellant, Parameswaran; to set aside the abatement due to the death of the deceased 1st respondent/1st appellant, Ayyappan and 2nd respondent/2nd appellant, Parameswaran; and to bring on record the proposed respondents, legal heirs of the deceased 1st respondent/1st appellant and the 2nd respondent/2nd appellant in the above Second Appeals.

2.Heard the learned counsel on either side.

3.I have gone through the affidavits filed in support of the applications and I am satisfied with the reasons stated in the affidavits filed



in support of the applications that the legal heirs are proper and necessary parties. Hence, I am inclined to allow all these applications.

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4. Accordingly, the Civil Miscellaneous Petitions are allowed.

Registry is directed to carryout necessary amendments.

26.09.2025

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