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C.M.P.NOS.10906, 10909 & 10910 OF 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02/04/2026

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

C.M.P.NOS.10906, 10909 & 10910 OF 2021
IN S.A.NO.834 OF 2005

C.M.P.No.10906 of 2021

Kannan
S/o.Late. Appayee
Melkuppam Village,
Vaniyambadi, Vellore District.

... Petitioner/Appellant

Vs.

1.Kamalammal
W/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

2.Jayaraj (died)

3.Chandrasekar
S/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

4.Ashokan
S/o.Late.Pappaiyan,
No.10, Sarangapani Street,
Metha Nagar,
Chennai – 29.

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5. Vijayakumar,
S/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

6. Vijayalakshmi
D/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

7. Santhanalakshmi,
D/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk.

... Respondents 1 to 7/
Respondents

8. J. Jayalakshmi,
W/o. Jayaraj (died)

9. Surya
D/o. Jayaraj

10. Chandran
S/o. Jayaraj
8 to 10 are residing at Melkuppam
Village, Chinnapallikuppam Post,
Vaniyambadi Taluk, Vellore District.

...Proposed Respondents 8 to 10/
Respondents

PRAYER: Civil Miscellaneous Petition filed under Section 5 of the
Limitation Act, 1963, praying to condone the delay of 2662 days in filing
the petition to set-aside the abatement caused due to the death of 2nd
Respondent in the above S.A.No.834 of 2005.

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C.M.P.No.10909 of 2021

Kannan
S/o.Late. Appayee
Melkuppam Village,
Vaniyambadi, Vellore District.

... Petitioner/Appellant

Vs.

1.Kamalammal
W/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

2.Jayaraj (died)

3.Chandrasekar
S/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

4.Ashokan
S/o.Late.Pappaiyan,
No.10, Sarangapani Street,
Metha Nagar,
Chennai – 29.

5.Vijayakumar,
S/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

6.Vijayalakshmi
D/o.Late.Pappaiyan,
Melkuppam Village,

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Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

7.Santhanalakshmi,
D/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk.

... Respondents 1 to 7/
Respondents

8.J.Jayalakshmi,
W/o.Jayaraj (died)

9.Surya
D/o.Jayaraj

10.Chandran
S/o.Jayaraj
8 to 10 are residing at Melkuppam
Village, Chinnapallikuppam Post,
Vaniyambadi Taluk, Vellore District.

...Proposed Respondents 8 to 10/
Respondents

PRAYER: Civil Miscellaneous Petition filed under Order XXII Rule 9 of the Code of the Civil Procedure, 1908, praying to set-aside the abatement caused due to the death of 2nd Respondent in the above S.A.No.834 of 2005.

C.M.P.No.10910 of 2021

Kannan
S/o.Late. Appayee
Melkuppam Village,
Vaniyambadi, Vellore District.

... Petitioner/Appellant

Vs.

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C.M.P.NOS.10906, 10909 & 10910 OF 2021

1.Kamalammal
W/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

2.Jayaraj (died)

3.Chandrasekar
S/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

4.Ashokan
S/o.Late.Pappaiyan,
No.10, Sarangapani Street,
Metha Nagar,
Chennai – 29.

5.Vijayakumar,
S/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

6.Vijayalakshmi
D/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,
Vaniyambadi Taluk,
Vellore District.

7.Santhanalakshmi,
D/o.Late.Pappaiyan,
Melkuppam Village,
Chinnapallikuppam Post,



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... Respondents 1 to 7/ Respondents

Vaniyambadi Taluk.

8.J.Jayalakshmi,
W/o.Jayaraj (died)

9.Surya
D/o.Jayaraj

10.Chandran
S/o.Jayaraj
8 to 10 are residing at Melkuppam
Village, Chinnapallikuppam Post,
Vaniyambadi Taluk, Vellore District.

...Proposed Respondents 8 to 10/
Respondents

PRAYER: Civil Miscellaneous Petition filed under Order XXII Rule 4 of the Code of the Civil Procedure, 1908, praying to bring on record the legal heirs of the deceased 2nd Respondent and rank them as Respondents 8 to 10 in the above S.A.No.834 of 2005.

For Petitioners
in all CMPs : Mr.P.Ganapathy

COMMON ORDER

Mr.P.Ganapathy, learned Counsel appearing for the Petitioner in all the Civil Miscellaneous Petitions is before this Court and submits that despite letters sent, the Petitioner did not turn up. He reports “no instructions.



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2.The said submission is recorded.

3.In view of the above submissions, these Civil Miscellaneous
Petitions are dismissed for non-prosecution.

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R. SAKTHIVEL, J.

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**C.M.P.NOS.10906, 10909 & 10910 OF 2021
IN S.A.NO.834 OF 2005**

02/04/2026

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