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CMP Nos. 21121, 21123, 21127 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CMP Nos. 21121, 21123, 21127 of 2025

IN

SA SR NO. 103077 OF 2023

1. Killivel, S/o Munusamy, Valarpuram Colony,
Valapuram Village, Arakkonam Tk
2. Gajendiran
S/o Munusamy, Valapuram Colony, Valapuram
Village, Arakkonam Tk
3. Poongavanam
W/o Late Appadurai, Chinnammappettai,
Thiruvallangadu, Thiruttani Tk, Thiruvallur Dt
4. Venkatesan
S/o Late Anandan, Res at Kalakattur Village,
Thiruttani Tk, Thiruvallur Dt
5. Sargunan
S/o Late Anandan, Res at Kalakattur Village,
Thiruttani Tk, Thiruvallur Dt

..Appellant(s)

Vs

1. Natarajan
S/o Rathinam, No.62, Karani Nizampet, Kurma
Vilasapuram Post, Thiruttani Tk, Thiruvallur Dt
2. The District Collector
Vellore, Vellore DT
3. The Tahsildar
Arakkonam Tk, Arakkonam.



Anandan (Died)

Subramani (Died)

4. Nagaraj
S/o Perumal, Karani Nizampet, Kurma
Vilasapuram Post, Thiruttani Tk, Thiruvallur Dt
5. Kantha
W/o Late Anandan, Chinna Kalakattur Village,
Thiruttani Tk, Thiruvallur Dt
6. Mohana
W/o Late Subaramani, Irular Colony,
Ramapuram Village Thiruttani Tk, Thiruvallur
Dt
7. S.Madhavan
S/o Late Subaramani, Irular Colony,
Ramapuram Village Thiruttani Tk, Thiruvallur
Dt 631204
8. S.Parthiban
S/o Late Subaramani, Irular Colony,
Ramapuram Village Thiruttani Tk, Thiruvallur
Dt 631204
9. S.Sobana
D/o Late Subaramani, Irular Colony,
Ramapuram Village Thiruttani Tk, Thiruvallur
Dt 631204
10. Bhaskar (Died)

..Respondent(s)

CMP No. 21121 of 2025: To condone the delay of 2863 days in filing the L.R petition to set aside the abatement caused due to the death of the 4th respondent namely SUBRAMANI in the above CMP.No. 21775 of 2023 in SA.SR.No. 103077 of 2023



CMP No. 21123 of 2025: To set aside the abatement caused due to the death of the 4th respondent namely SUBRAMANI in the above CMP.No. 21775 of 2023 in SA.SR.No. 103077 of 2023

CMP No. 21127 of 2025: To bring on record the L.Rs of the deceased 4th respondent as parties in CMP.No. 21775 of 2023 in SA.SR.No. 103077 of 2023.

For Petitioner(s): Mr. R.Karunakaran

For Respondent(s): Ms. Atchaya
for M/s Sarvabhauman Associates
for R1

Mr.B.Tamilnidhi, Govt. Advocate
for R2 and R3.

COMMON ORDER

It is seen from the typed set of papers that the 4th respondent in the second appeal, namely Subramani, died on 15.05.2017, even during the pendency of the first appeal. The second appeal has been preferred against the deceased 4th respondent and hence, as far as the 4th respondent is concerned the second appeal is a nullity. In such circumstances, the petitioners/appellants are not entitled to file application to bring on record the legal representatives of the deceased R4 and also the other applications to condone the delay in filing petition to set aside the abatement caused due to the death of R4 and to set aside the abatement caused due to the death of R4. The proper course is to file a petition to amend the cause title so as to include the L.Rs of the deceased R4 and to file necessary petition to condone the delay in presenting the second



appeal as against the L.Rs of the deceased R4.

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2. In view of the above mentioned position, all the civil miscellaneous petitions are dismissed with liberty to the petitioner to file appropriate applications.

12-03-2026

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S.SOUNTHAR, J.

MST

**CMP No. 21121, 21123 and 21127 of 2025
IN
SA SR NO. 103077 OF 2023**

12-03-2026