



CMP(MD) NO. 1344 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30-03-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CMP(MD) Nos. 1344 to 1346 of 2026

in S.A.(MD)No.364 of 2020

1. GanapathiServai (Died), 2.Muthammal
W/o.Late.Ganapathi Servai
D.No.3/265
3rd Ward
Ammankoil Street West
N.Panjampatti Post
Dindigul.

2. MUTHAMMAL
W/o.Late.Ganapathi Servai
D/No.3/265
3rd Ward
Ammankoil Street West
N.Panjampatti Post
Dindigul.

3. SELVARAJ
S/o.Late.Ganapathi Servai
D/No.3/265
3rd Ward
Ammankoil Street West
N.Panjampatti Post
Dindigul.

4. SHANTHI
W/o.John Bosco
D/o.Late.Ganapathi Servai
N.Panchampatti
Athoor Taluk
Dindigul-624 303.



5. SARASU

W/o.S.Anbil Dharmalingam
D/o.Late.Ganapathi Servai
RDO Office back side
MSS Nagar
Kottapatti Post
Dindigul DT-624 002

6. SHANMUGAVALLI

W/o.Sasikumar
D/o.Late.Ganapathi Servai
121/4A
Kullanampatti
Natham Road
Dindigul District-624 003

Petitioner(s)

Vs

1. K.Dhanabalan
S/o. Kandasamy Servai
Kaliammankoil Street
3rd Ward
N.Panjampatti Village
Dindigul.

2. Thangiah (Died)
Thangaraj Servai (Died)

3. R.Rajendran
S/o.Late.S.Rajamani
3rd Ward
N.Panjampatti Village
Dindigul Taluk.

4. R.Jeevanandam
S/o.Late.S.Rajamani
3rd Ward
N.Panjampatti Village
Dindigul Taluk.

5. M.Ganesan
S/o.Late.Muthusamy



Kummampatti
N.Panjampatti Post
Dindigul Taluk.

WEB COPY

6. Ganesan
S/o.Late.Thangaiah @ Thangam
D.No.242
Kaliyamman Kovil Street
N.Panjampatti Village and Post
Athoor Taluk
Dindigul District.

7. Vijaya
D/o.Late.Thangaiah @ Thangam
D.No.242
Kaliyamman Kovil Street
N.Panjampatti Village and Post
Athoor Taluk
Dindigul District.

8. Lakshmi
W/o.Late.Thangaiah @ Thangam
D.No.242
Kaliyamman Kovil Street
N.Panjampatti Village and Post
Athoor Taluk
Dindigul District.

Respondent(s)

For Petitioner(s):

K.Muraleedharan
S. Ramakrishnan

For Respondent(s):

M/s. Kbs Law Office
Counter Filed Usr. 12500 Dt 26.03.2026
Court Notice

R6 To R8 - Batta With Enclosures Due
Pvt. Notice - Proof Filed

R6 - Ganesan
R7 - Vijaya
R8 - Lakshmi

(r6 To R8 - Notice Received By Some Other Person)



Prayer in C.M.P.(MD)No.1344 of 2026:

To condone the delay of 885 days in filing the petition to bring on record the 6 to 8 respondents as the legal representative of the deceased 2nd respondent died on 07.03.2023 in the above second appeal (MD).No. 364/2020 and thus render justice.

Prayer in C.M.P.(MD)No.1345 of 2026:

To set aside the abatement caused due to the death of deceased 2nd respondent in the above S.A.(MD)No.364 of 2020.

Prayer in C.M.P.(MD)No.1346 of 2026:

To bring on record the 6 to 8 respondents as the legal representative of the deceased 2nd respondent in the above S.A.(MD)No.364 of 2020.

ORDER

These applications have been taken out to condone the delay of 885 days in setting aside the abatement caused due to the death of the second respondent, to set aside the abatement caused due to the death of the second respondent and to bring on record the respondents 6 to 8 as the legal representatives of the deceased second respondent.

2.Learned Counsel for the respondents states that delay is not explained and hence, the petitioners do not deserve any indulgence.

3.However, I find that the appeal is of the year 2020 and has not been listed for hearing and there is no occasion for the petitioners to know about



the death of the second respondent. In view of the above, I am inclined to allow these applications with cost of Rs.1500/- to the learned Counsel for the respondents within one [1] week.

4.Post on 20.04.2026 for compliance.

30-03-2026

MR

To

1. K.Dhanabalan
S/o. Kandasamy Servai
Kaliammankoil Street
3rd Ward
N.Panjampatti Village
Dindigul.

2. Thangiah (Died)
Thangaraj Servai (Died)

3. R.Rajendran
S/o.Late.S.Rajamani
3rd Ward
N.Panjampatti Village
Dindigul Taluk.

4. R.Jeevanandam
S/o.Late.S.Rajamani
3rd Ward
N.Panjampatti Village
Dindigul Taluk.

5. M.Ganesan
S/o.Late.Muthusamy
Kummampatti
N.Panjampatti Post
Dindigul Taluk.



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