



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Fourteenth day of December Two Thousand Twenty Two

PRESENT

The Hon'ble Mrs. Justice N. MALA

CMP(MD) No.8030 of 2022

1 RENUKADEVI,
W/O. SHANMUGAM CHETTIAR, NO. 6A, MORKADAI
STREET, VELIPATTANAM, RAMANATHAPURAM.

2 ANANDHA KUMAR,
S/O. SHANMUGAM CHETTIAR, NO. 6A, MORKADAI
STREET, VELIPATTANAM, RAMANATHAPURAM.

3 GNANAGURU,
S/O. MUTHU, NO. 2A, WEST AGRAHARAM,
VELIPATTANAM, RAMANATHAPURAM.

4 N.S. HASAN ALIYAR,
S/O. NAINAMOHAMMED, NO. 74A, SIVAGNANAPURAM
ROAD, KUPPUSAMY NAGAR, VELIPATTANAM,
RAMANATHAPURAM.

5 MAREESWARAN,
S/O. GANESAN, NO. 8B, DHARPASAYANAM ROAD,
YADAVAR STREET, VELIPATTANAM, RAMANATHAPURAM.

... PETITIONER(S)

Vs

1 RAMASWAMY ALIAS RAMANATHAN,
SON OF RATHINAM CHETTIYAR, DOOR NO. F7, M.P.
RESIDENCY, PALANISAMY NAGAR, 4TH CROSS
STREET, AATHIKULAM, RESERVE LINE, MADURAI.

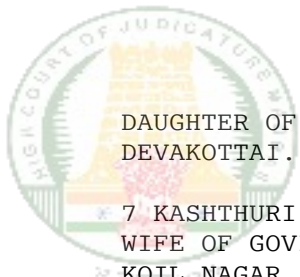
2 SOUNDARAVALLI,
DIED

3 RAJESHWARI,
WIFE OF RAMANUJAM, NO. 6, S.M.P.K. NAGAR,
DEVAKOTTAI.

4 NANDAKUMAR,
SON OF RAMANUJAM, REPRESENTED BY HIS POWER
OF ATTORNEY AGENT, S. MOHANKUMAR, SON OF
RAMANUJAM, NO. 6, S.M.P.K. NAGAR.

5 MOHANKUMAR,
SON OF RAMANUJAM, NO. 6, S.M.P.K. NAGAR,
DEVAKOTTAI.

6 PRADEEPA,



DAUGHTER OF RAMANUJAM, NO. 6, S.M.P.K. NAGAR,
DEVAKOTTAI.

7 KASHTHURI,
WIFE OF GOVINDARAJAN, NO. 7/13, KRISHNAN
KOIL NAGAR, JABARSHA NAGAR, TRICHY.

8 NITHYAKALYANI,
WIFE OF SELVARAJAN, NO. 6, S.M.P.K. NAGAR,
DEVAKOTTAI.

9 KIRITHIGA,
DAUGHTER OF SELVARAJAN, NO 6, S.M.P.K. NAGAR,
DEVAKOTTAI.

10 ABIRAMI,
DAUGHTER OF SELVARAJAN, NO. 6, S.M.P.K.
NAGAR, DEVAKOTTAI.

11 PRAVEEN KUMAR,
SONR OF SELVARAJAN, NO. 6, S.M.P.K. NAGAR,
DEVAKOTTAI.

12 T. RAJKUMAR,
S/O. K. THANDAVAN, NO. 12, PATH, ANUMANTHAR
LANE, KEELAVALLASAL, MADURAI - 625001.

13 R. RAJESHWARI,
W/O. RAMANUJAM, NO. 6, S.M.P.K. NAGAR,
DEVAKOTTAI - 630302, SIVAGANGAI.

14 S. GEETHARAMANI,
W/O. K. SIVARAJA, SRI KRISHNA AVANUE, NO.
15/15, EAST VELI STREET, MADURAI - 625 001.

15 T. KANNAN,
S/O. THANDAVAN, 20/26, RAJAJI STREET, GANDHI
NAGAR, MADURAI - 625 020.

16 T. SRINIVASAN, (DIED)
S/O. THANDAVAN, 27, RAJAJI STREET, GANDHI
NAGAR, MADURAI - 625020.

17 GAYATHRI
W/O. SRINIVASAN, NO.27, RAJAJI STREET, GANDHI
NAGAR, MADURAI-625 020.

18 MINOR. HARSHINI
D/O. SRINIVASAN, NO.27, RAJAJI STREET, GANDHI
NAGAR, MADURAI-625 020. (MINOR REPRESENTED
THROUGH HER MOTHER AND NATURAL GUARDIAN OF
17TH RESPONDENT)

19 SOUNDARAVALLI
W/O. THANDAVAM, NO.27, RAJAJI STREET, GANDHI
NAGAR, MADURAI-625 020.

... RESPONDENT (S)



ORDER : The Court Made the following order :-

This petition is filed to set aside the order as against the deceased 16th respondent namely, T.Srinivasan for not taking steps in AS(MD) No.63 of 2022, dated 27/06/2022, and restore the appeal.

2. Mr.M.Rajaraman, learned Counsel undertakes to file vakalt for the respondents 17 & 18.

3. The learned counsel for the petitioners submits that the 19th respondent was erroneously added as legal heir of the deceased 16th respondent. The 19th respondent had already predeceased the 16th respondent. He has also made an endorsement to that effect.

4. I have gone through the affidavit filed in support of this petition and I am satisfied with the reasons stated therein. Therefore, the order in AS(MD) No.63 of 2022, dated 27/06/2022 is set aside and the appeal is restored. This petition is accordingly ordered.

5. Registry is directed to restore the appeal on file.

14/12/2022