



O.S.A.Nos.282 & 283 of 2013

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2023

CORAM:

**THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN**

O.S.A.Nos.282 & 283 of 2013

In OSA No.282 of 2013:

1.J.Bhavani

2.J.Ramesh

3.Sasikumar

4.Lakshman

...Appellants

Vs.

1.P.Venkatesan (deceased)

2.Thayarammal (deceased)

3.Krishnaveni

4.Thangamani

5.V.Lakshmi

6.Dhanajayan

7.V.Revathi

8.V.Padmanabhan

9.V.Santhanakrishnan



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10.V.Thilakavathi

11.V.Dhanalakshmi

12.Viswanathan

13.Chandrasekaran

14.S.Ramani

15.Subramani

16.Maheswari

17.Charumathi

18.Yuvaraj

19.Indumathi

20.Jambulingam

21.Sumathi

22.Giritharan

23.Thenmozhi

24.Elangovan

25.Parthiban

26.Manimegalai

27.Manivannan

28.Nirmaladevi

29.Senthil Murugan



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[R12 to R29 brought on record as Lrs of the deceased second respondent viz., Thayarammal vide Court order dated 25.02.2020 made in CMP Nos.3386, 3563m 3564, 3567, 3378 & 3384 of 2020 in OSA No.282 of 2013 & 283 of 2013 (NKKJ & PVJ)].

...Respondents

Prayer: Original Side Appeal filed under Order XXXVI Rule 1 of O.S. Rules r/w. Clause 15 of the Letters Patent Appeal, against the judgment and decree dated 29.04.2013 made in T.O.S. No.11 of 1998.

For Appellant : Mr.G.Jeremiah

For Respondent : Ms.B.Karpagam
Nos.5 to 11

For Respondent : No Appearance
Nos.13, 15, 16
& 19

For Respondent : Ms.Tks.Bharathy Shri
Nos.17, 18, 21 to 24
& 26 to 29

In OSA No.283 of 2013:

1.J.Bhavani

2.J.Ramesh

3.Sasikumar

4.Lakshman

...Appellants

Vs.



O.S.A.Nos.282 & 283 of 2013

- 1.Thayarammal (deceased)
2.P.Venkatesan (deceased)
3.Krishnaveni
4.Radha Bai (deceased)
5.Lakshmi Ammal (deceased)
6.Padmavathy Ammal
7.P.Kamala
8.Thangamani
9.V.Lakshmi
10.Dhanajayan
11.V.Revathi
12.V.Padmanabhan
13.V.Santhanakrishnan
14.V.Thilakavathi
15.V.Dhanalakshmi
(R9 to 15 are added as LR's of deceased R2)
16.K.C.Sekaran
17.Saraswathi
18.K.Jayalakshmi
19.K.Rajan
(R16 to 19 are added as LR's of deceased R4)



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20.S.Parthiban

21.S.Mohan

22.S.Ramu

23.S.Saravanan

24.Vanaja
(R20 to 24 are LR. of R5)

25.Viswanathan

26.Chandrasekaran

27.S.Ramani

28.Subramani

29.Maheswari

30.Charumathi

31.Yuvaraj

32.Indumathi

33.Jambulingam

34.Sumathi

35.Giritharan

36.Thenmozhi

37.Elangovan

38.Parthiban



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39.Manimegalai

40.Manivannan

41.Nirmaladevi

42.Senthil Murugan

[R25 to R42 brought on record as LR's of the deceased first respondent viz., Thayarammal vide Court order dated 25.02.2020 made in CMP Nos.3386, 3563, 3564, 3567, 3378 & 3384 of 2020 in OSA No.282 of 2013 & 283 of 2013 (NKKJ & PVJ)].

... Respondents

Prayer: Original Side Appeal filed under Order XXXVI Rule 1 of O.S. Rules r/w. Clause 15 of the Letters Patent Appeal, against the judgment and decree of this Court dated 29.04.2013 made in Tr.C.S. No.49 of 2001.

For Appellant : Mr.G.Jeremiah

For Respondent : Ms.B.Karpagam
Nos.7, 9 to 15

For Respondent : No Appearance
Nos.30 to 32, 34 to 39

For Respondent : Ms.Tks.Bharathy Shri
Nos.17, 18, 21 to 24
& 26 to 29



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J U D G M E N T

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(Judgment of the Court was made by **R.SUBRAMANIAN, J.**)

It is seen that the fourth respondent in O.S.A.No.282 of 2013 namely, Mrs.Thangamani is no more. She also figured as eighth respondent in O.S.A.No.283 of 2013. We have recorded that she died on 12.08.2016. Despite seven years having gone by, no steps have been taken so far to bring her legal representatives on record. The appeal in OSA.No.283 of 2013 being one against the decree for partition and and the appeal in OSA No.282 of 2013 being one against refusal to grant an order of Letters of Administration. Both the appeals will abate in full. Hence, the Original Side Appeals are disposed of as 'abated'. It is open to the learned counsel for the appellants to file application, if he is able to get the particulars of the legal representatives of the deceased Thangamani. No costs.

(R.S.M.,J.) (V.L.N.,J.)

07.08.2023

DP

Internet:Yes/No

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No



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R.SUBRAMANIAN, J.
and
V.LAKSHMINARAYANAN, J.

DP

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