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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-03-2025

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CMP NO. 3351 of 2024**

**IN**

**SA NO. 19 OF 2015**

Damodaran (died),

1. D. Yasodha
2. D. Swathy
3. D. Shamili
4. D. Srinath

Petitioner(s)

Vs

D. Manasadevi

W/O Ethiraj Naidu Malur Main Rd Bogaloor Village  
Palanthur Post Hosur Tk Dharmapuri Dt and 8 Others

Respondent(s)

**For Petitioner(s):** Mr. J.Hari Krishna

**For Respondent(s):** --

### **ORDER**

This Civil Miscellaneous Petition has been filed by the petitioners herein seeking to condone the delay of 509 days in filing the set aside abatement petition caused due to death of the sole appellant/ Damodaran in S.A. No.19 of 2015.

2. The learned counsel for the appellant submits that the sole appellant/ / Damodaran in S.A. No.19 of 2015 died on 22.04.2022, leaving behind his wife, and daughters and as his legal representatives. He further submitted that only



appellant, hence there is a delay in filing the petition seeking to set aside abatement. Therefore, he prayed to condone the delay of 509 days in seeking to set aside the abatement caused by the death of the sole appellant.

3. Considering the reasons stated in the affidavit filed in support of this petition, the aforesaid delay of 509 days is condoned. Registry is directed to carryout necessary amendment.

4. Accordingly, this Civil Miscellaneous Petition is ordered.

**14-03-2025**  
**(1/3)**

stn

To

1. D. Manasadevi W/O Ethiraj Naidu  
Malur Main Rd Bogaloor Village Palanthur Post Hosur Tk, Dharmapuri Dt.

2. T.K. Surya@loganayaki W/o Krishanamoorthy  
Channarayanpalli Village Sethuvandai Post Katpadi Tk Vellore Dt.

3. Subadrammal (deceased) W/o Late Doraisamy Naidu Channarayanpalli Village  
Sethuvandai Post Katpadi Tk Vellore Dt.

4. Bagula Devi W/o Neelakantan  
Kollapuram Village Morapalli Post Gudiyatham Tk Vellore Dt.  
Varalakshmi (died)

5. Bhaktavatchalam Naidu  
Boya Chinnarayanpalli Lingapuram Village Chennarayapalli Post V. Kotta  
Mandalam Palameneru Taluka Chittor Dt A.P.



6. THYAGARAJULU

S/o Late Varalakshmi

Pesul Thottai Village V. Kotta Mandalam Palameneru Taluka Chittor Dt A.P.

7. VENKATARAMAN

S/o Late Varalakshmi

Pesul Thottai Village V. Kotta Mandalam Palameneru Taluka Chittor Dt A.P.

8. DHANALAKSHMI

D/o Late Varalakshmi

Pesul Thottai Village V. Kotta Mandalam Palameneru Taluka Chittor Dt A.P.

9. Memo Filed By The Applt

On 06/07/15, Rr 1, 2&4 Recorded As The Lrs Deceased R3 Vide Order Of Court

Dated 06/07/15 Made Un Memo Dt.06/07/15 In Sa19/15



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**K. RAJASEKAR, J.**

stn

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