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CMP.Nos.11594, 11596 & 11597 of 2025 in A.S.No.378 of 2016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.Nos.11594, 11596 & 11597 of 2025

in

A.S.No.378 of 2016

K. Arumugam (died)

1. A.Yasotha

2. A.Arunkumar

3. S.Suganya

... Petitioners /
Proposed Appellants 2 to 4
in all CMPs

Vs.

1. K.Jayaraman

2. Jayalakshmi

3.Saraswathi

4. R.Ponnusamy

5. Tmt. Karuppurathinam

6. Tmt. Bagiya Lakshmi

... Respondents /
Respondents 1 to 6
in all CMPs

K. Devadass (died)

7. Pushpammal

8. Kannan

9. Nagendran

... Respondents /
Proposed respondents 8 to 10
in all CMPs

PRAYER IN CMP.No.11594 of 2025 : This Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying to condone the delay of 377 days in filing the above petition to set aside abatement caused due to



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the death of the sole appellant, K.Arumugam in the above appeal suit in A.S.No.378 / 2016.

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PRAYER IN CMP.No.11596 of 2025 : This Civil Miscellaneous Petition filed under Order XXII Rule 9 (2) of CPC, 1908, praying to set aside the abatement caused due to the death of the Sole Appellant, K. Arumugam in the above appeal suit in A.S.No.378 of 2016.

PRAYER IN CMP.No.11597 of 2025 : This Civil Miscellaneous Petition filed under Order XXII Rule 3 (1) of CPC, 1908, praying to bring on record the petitioners 1 to 3 herein as the legal representatives of the deceased / sole Appellant, K. Arumugam and rank them as the appellants 2 to 4 in the above appeal suit in A.S.No.378 of 2016.

For Petitioners : Mr.P.M.Duraiswamy in all CMPs

COMMON ORDER

CMP.No.11594 of 2025 has been filed to condone the delay of 377 days in filing the above petition to set aside abatement caused due to the death of the sole appellant, K.Arumugam in the above appeal suit in A.S.No.378 / 2016.

2. CMP.No.11596 of 2025 has been filed to set aside the abatement caused due to the death of the Sole Appellant, K. Arumugam in the above appeal suit in A.S.No.378 of 2016.



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3. CMP.No.11597 of 2025 has been filed to bring on record the petitioners 1 to 3 herein as the legal representatives of the deceased / sole Appellant, K. Arumugam and rank them as the appellants 2 to 4 in the above appeal suit.

4. Heard Mr.P.M.Duraiswamy, learned counsel for the petitioners.

5. On being satisfied with the reasons stated in the affidavits filed in support of these petitions and also considering the submissions made on the side of the petitioners, this Court is inclined to allow these petitions. Accordingly, these petitions are allowed without costs.

03.07.2025

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Note: Registry is directed to carry out necessary amendment in the appeal papers.



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R.SAKTHIVEL, J.

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