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CMP.Nos.6370, 6374 & 6378 of 2024 in A.S.No.222 of 2017



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.Nos.6370, 6374 & 6378 of 2024
in
A.S.No.222 of 2017

R. Palanisamy (died)

1. Vasanthi
2. Gnanasundari
3. Krishnamoorthy

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

Vs.

Nachammal (died)

1. Rajathi
2. Shanthi
3. Balasubramanian

... Respondents 1 to 3 /
Respondents 2 to 4 in all CMPs

4. Jayaprabha

(R4 name amended vide court order
dated 09.06.2025 made in CMP.No.10184 of 2025
in CMP.Nos.6370, 6374, 6378 of 2024
in A.S.No.222 of 2017)

5. Minor K.Uthara
6. Minor K. Mithra

... Respondents 4 to 6 /
Proposed Respondents 5 to 7 in all CMPs

PRAYER IN CMP.No.6370 of 2024 : This Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying to condone the delay of 1715 days in filing the petition to set aside abatement caused due to the death of the first respondent Nachammal in the above Appeal Suit.



PRAYER IN CMP.No.6374 of 2024 : This Civil Miscellaneous Petition filed under Order 22 Rule 9 (2) of CPC, praying to set aside the abatement caused due to the death of the first respondent Nachammal in the above appeal suit.

PRAYER IN CMP.No.3948 of 2025 : This Civil Miscellaneous Petition filed under Order 22 Rule 4 of CPC, praying to bring on record the legal representatives of late first respondent Nachammal as respondents 5 to 7 in the above A.S.No.222 of 2017 on the file of this Court.

For Petitioners : Mr.P.Santhosh in all CMPs
For Respondents : Mr.V.Nicholas for R4 to R6 in all CMPs

COMMON ORDER

CMP.No.6370 of 2024 has been filed to condone the delay of 1715 days in filing the petition to set aside abatement caused by the death of the first respondent Nachammal.

2. CMP.No.6374 of 2024 has been filed to set aside the abatement caused due to the death of the first respondent Nachammal.

3. CMP.No.6378 of 2024 has been filed to bring on record the legal representatives of late first respondent Nachammal as respondents 5 to 7 in the above A.S.No.222 of 2017 on the file of this Court.

4. Heard Mr. P.Santhosh for the petitioners and Mr.V.Nicholas,



learned counsel for the respondents 4 to 6.

WEB COPY 5. On being satisfied with the reasons stated in the affidavits filed in support of these petitions and considering the submissions made by the either side, these petitions stand allowed.

13.06.2025

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

R.SAKTHIVEL, J.



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13 / 06 / 2025

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