



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.04.2025

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Coram:

The Honourable Mr.Justice C.SARAVANAN

**Application Nos.1720, 1721 & 1722 of 2025
in T.O.S.No.11 of 2022**

Mrs.R.Vijayalakshmi

...Applicant in all Applications

Versus

Mrs.Saradha @ Umadevi

- 1.Mrs.J.Lakshmi
- 2.Mrs.S.Gnanambal
- 3.Mrs.K.Kantha
- 4.Mrs.K.Shanthi
- 5.Mrs.R.Krishnaveni
- 6.Mrs.S.Vedavalli
- 7.S.Saravanan @ Karthik
- 8.G.Thenmozhi
- 9.Mrs.M.Nagammal
- 10.M.Yamuna
- 11.M.Gopinath

...Respondents in all Applications

Prayer in Application No.1720 of 2025 in T.O.S.No.11 of 2022:

Application filed under Order XIV Rule 8 of O.S.Rules and Section 5 of the Limitation Act praying to condone the delay of 717 days in filing the petition to set aside the abatement caused due to the death of the 1st Defendant namely Mrs.Saradha @ Umadevi in the above suit in T.O.S.No.11 of 2022.



Prayer in Application No.1721 of 2025 in T.O.S.No.11 of 2022:

Application filed under Order XIV Rule 8 of O.S.Rules and Order XXII, Rule 9 of C.P.C r/w. Section 151 of C.P.C praying to set aside the abatement caused due to the death of the 1st Defendant namely Mrs.Saradha @ Umadevi in the above suit in T.O.S.No.11 of 2022.

Prayer in Application No.1722 of 2025 in T.O.S.No.11 of 2022:

Application filed under Order XIV Rule 8 of O.S.Rules and Order XXII, Rule 4 of C.P.C r/w. Section 151 of C.P.C praying to bring on record the Respondents 5 to 11 herein, the legal representatives of the deceased 1st Defendant as the Defendants 6 to 12 in the main suit in T.O.S.No.11 of 2022.

For Applicant in all Applications : Mr.V.R.Appaswamee

For Respondents – 2 & 3
in all Applications : Mr.M.Sridhar

For Respondent – 4 in
all Applications : Mr.G.Jeremiah

COMMON ORDER

These Applications have been filed by the Applicant/Plaintiff for the following reliefs:

(i) Application No.1720 of 2025 in T.O.S.No.11 of 2022 – for condoning the delay of 717 days in filing the petition to set aside the abatement caused due to the death of the 1st Defendant namely Mrs.Saradha @ Umadevi in T.O.S.No.11 of 2022.



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(ii) Application No.1721 of 2025 in T.O.S.No.11 of 2022 – for setting aside the abatement caused due to the death of the 1st Defendant namely Mrs.Saradha @ Umadevi in T.O.S.No.11 of 2022.

(iii) Application No.1722 of 2025 in T.O.S.No.11 of 2022 – for bringing on record the Respondents 5 to 11 herein, the legal representatives of the deceased 1st Defendant as the Defendants 6 to 12 in T.O.S.No.11 of 2022.

2. The learned counsel for the Applicant/Plaintiff submitted that as per the earlier order dated 01.04.2025 in Application Nos.1720, 1721 & 1722 of 2025, he has sent private notice to the Respondents 5 to 11/Proposed Defendants 6 to 12 and the same has been served on the Respondents 5 to 11/Proposed Defendants 6 to 12. The learned counsel has filed the Affidavit of Service dated 21.04.2025 to that effect.

3. The learned counsel for the Respondents 2 & 3 as well as the learned counsel for the 4th Respondent submitted that they have no serious objection to these applications being allowed.

4. Having considered and being satisfied with the reasons stated in the affidavit filed in support of these applications and also, having regard to



the no objection expressed by the respective learned counsel for the Respondents 2, 3 & 4, these Applications are ordered as prayed for.

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5. The learned counsel for the Applicant/Plaintiff is directed to carry out necessary amendment in the cause title of T.O.S.No.11 of 2022 and file a clean copy of the amended plaint in T.O.S.No.11 of 2022.

22.04.2025

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Index : Yes/No

Speaking Order (or) Non Speaking Order



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C.SARAVANAN, J.

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in T.O.S.No.11 of 2022

22.04.2025