



CMP.Nos.10005, 10011 & 10015 of 2025 in A.S.No.311 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

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CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.Nos.10005, 10011 & 10015 of 2025

in

A.S.No.311 of 2017

J. Prabavathi (died)

1. J.Ragunath

... Petitioner /
1st Appellant in all CMPs

Vs.

1. Nirmala Rani

... Respondent /
first Respondent in all CMPs

(2) J.Balavenkatraman (Died)

2. Sri Valli

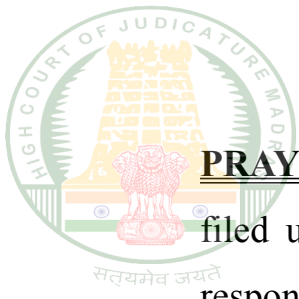
3. Bala Sanjana Lakshmi

4. Bala Lithish Kumar

... Proposed respondents 2 to 4/
Legal Heirs of J.Balavenkatraman in all CMPs

PRAYER IN CMP.No.10005 of 2025 : This Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying to condone the delay of 1374 days in filing the set aside abatement petition in the Appeal Suit A.s.No.311 of 2017.

PRAYER IN CMP.No.10011 of 2025 : This Civil Miscellaneous Petition filed under Order 22 Rule 9 of CPC, praying to set aside the abatement caused due to the death of appeal against second respondent in A.S.No.311 of 2017.



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PRAYER IN CMP.No.10015 of 2025 : This Civil Miscellaneous Petition filed under Order 22 Rule 4 of CPC, praying to implead the proposed respondents as respondents and array them as respondents 2 to 4 in the pending Appeal Suit against the deceased respondent in A.S.No.311 of 2017.

For Petitioners : Mr.B.Nedunchezhiyan in all CMPs

For Respondents : Mr.P.Saravana Sowmiyan for R1 in all CMPs

COMMON ORDER

CMP.No.10005 of 2025 has been filed to condone the delay of 1374 days in filing the set aside abatement petition in the Appeal Suit A.s.No.311 of 2017.

2. CMP.No.10011 of 2025 has been filed to set aside the abatement caused due to the death of appeal against second respondent in A.S.No.311 of 2017.

3. CMP.No.10015 of 2025 has been filed to implead the proposed respondents as respondents and array them as respondents 2 to 4 in the pending Appeal Suit against the deceased respondent in A.S.No.311 of 2017.



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4. Heard Mr.B.Nedunchezhiyan, learned counsel for the petitioner
and Mr.P.Saravana Sowmiyan, learned counsel for the first respondent.

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

17.06.2025

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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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in
A.S.No.311 of 2017

17 / 06 / 2025

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