

CMP Nos.12043, 12045 & 12050 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **08-08-2025**

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

CMP Nos.12043, 12045 & 12050 of 2023

in S.A.No.1303 of 2009

K.Deenadayalan (Deceased)
1.Mrs.Poongodi, Door No.3/6, Rajeshvarinagar
Main Road, Karambakkam, Porur,
Chennai-600116 and 2 Others

Applicants in all petitions

Vs

Miss N.V.Banumathy
D/o N.Venkatasubbu, LIG Block, No.7c,
Bharathidasan, K.K.Nagar, Chennai-600078 and
6 Others

Respondents in all petitions

In all petitions

For Applicants:

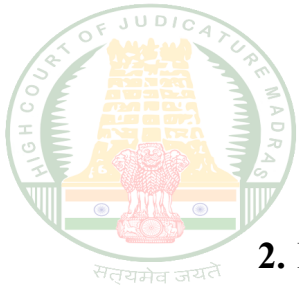
Mr.Prakash Goklaney

For Respondents:

Mr.A.Palaniappan for R1
Mr.G.Ameedius, Government Advocate for R2
Ms.G.Hemalatha Gajapathy
Standing Counsel for R4 and R5
Ms.R.Revathy for R3
Mr.M.P.Mohandass for R6 and R7

COMMON ORDER

These three applications have been filed consequent to the death of the first appellant, to condone the delay of 1144 days in filing the application to set aside abatement, to set aside abatement and to bring on record his legal representatives as further appellants in the Second Appeal.



CMP Nos.12043, 12045 & 12050 of 2023

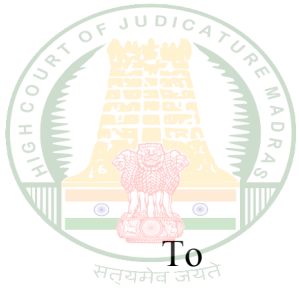
2. In the common affidavit filed in support of the three applications, it had been stated that the sole appellant had died on 17.11.2019. It had also been stated that the petitioners herein were not aware of the details of the proceedings and only when the Second Appeal was listed they came to know about the necessity to bring them on record. In view of all these factors, there has been a delay.

3. Heard the learned counsel for the respondents also.

4. Taking into consideration the facts and circumstances of the case, these applications are allowed and the delay in filing the application to set aside abatement stands condoned. The abatement is set aside and the legal representatives as stated in the applications are brought on record as further appellants in the second appeal.

08-08-2025

vum



CMP Nos.12043, 12045 & 12050 of 2023

To

WEB COPY

1. The Collector
Chengai MGR District, Kancheepuram
2. The Commissioner
Villivakkam Town Panchayat, Ambattur
3. The Chairman
TNEB, Chennai-600002
4. The Executive Engineer
TNEB, Alwarthirunagar, Chennai-600087
5. The Chief General Manager
Madras Telephone, Puraswakkam High Road, Chennai-600010
6. The Deputy General Manager
South West, Panagal Buildings, Saidapet, Chennai-600 015.



WEB COPY



CMP Nos.12043, 12045 & 12050 of 2023

C.V. KARTHIKEYAN,J.,

vum

**CMP Nos.12043, 12045 & 12050 of 2023
in S.A.No.1303 of 2009**

08.08.2025

(½)