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CMP.Nos.16207 & 16209 of 2021 in S.A.No.436 of 2014



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.Nos.16207 & 16209 of 2021

in

S.A.No.436 of 2014

1. Kuppammal (deceased)
2. S.Dharmaraj

... Proposed Appellant in both CMPs

Vs.

1. Smt.Bakiamani (Deceased)
2. Santhosh Prabhu

... Respondents /
Respondents in both CMPs

PRAYER IN CMP.No.16207 of 2021 : This Civil Miscellaneous Petition filed under Order 22 Rule 3 of CPC, praying to bring on record the legal heir / legal representative of Mr.S.Dharmaraj, which is caused due to the death of Appellant in S.A.No.436 of 2014 pending on the file of this Court.

PRAYER IN CMP.No.16209 of 2021 : This Civil Miscellaneous Petition filed under Order 22 Rule 9 of CPC, praying to set aside the abatement caused due to the death of the first appellant.

For Petitioner : Mr.P.Chandrasekar in both CMPs

For Respondents : Mr.Antony Jesus in both CMPs



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COMMON ORDER

CMP.No.16209 of 2021 has been filed to set aside the abatement caused due to the death of the first appellant.

2. CMP.No.16207 of 2021 has been filed to bring on record the legal heir / legal representative of Mr.S.Dharmaraj, which is caused due to the death of Appellant in S.A.No.436 of 2014 pending on the file of this Court.

3. Heard Mr. P.Chandrasekar, learned counsel for the petitioner and Mr.Antony Jesus, learned counsel for the respondents.

4. The learned counsel for the petitioner submits that the appellant / Kuppammal passed away on 15.06.2016. The appellant / Kuppammal executed a registered adoption deed dated 27.01.2003 and thereby adopted Mr.S.Dharmaraj. Further, the learned counsel for the petitioner has furnished the photo copy of the registered adoption deed dated 27.01.2003 and registered Will dated 07.04.2016. Accordingly, he prays to allow these petitions.



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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 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.



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R.SAKTHIVEL, J.

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13 / 06 / 2025

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