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CMP.No.15823 of 2025 in A.S.No.868 of 2018



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.No.15823 of 2025
in
A.S.No.868 of 2018

Velusamy (Deceased)

Pavithra

... Petitioner /
2nd respondent

Vs.

1. Sarojini
2. Radhika
3. Subramanian
4. Murugasamy

... Respondents /
Respondents 1, 3 to 5

PRAYER IN CMP.No.15823 of 2025 : This Civil Miscellaneous Petition filed under Order XXIII Rule 1 (A) read with Order 1 Rule 10 of CPC, praying to transpose the petitioner, who is the second respondent in A.S.No.868 of 2018 as the appellant in the above A.S.No.868 of 2018.

For Petitioner : Ms.M.Muzhath Khanam
for M/s. I.Kowser Nissar

For Respondents : Mr. Mr.Vishnu Prasad
for M/s.Sarvabhauman Associates for R4 & R5

ORDER

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CMP.No.15823 of 2025 has been filed to transpose the petitioner, who is the second respondent in A.S.No.868 of 2018 as the appellant in the above A.S.No.868 of 2018.

2. Heard Ms.M.Muzhath Khanam, representing M/s. I.Kowser Nissar, learned counsel on record for the petitioner / second respondent and Mr.Vishnu Prasad, representing M/s.Sarvabhauman Associates for the respondents 4 & 5.

3. This Court perused the affidavit filed in support of the petition, the appellant in A.S.No.868 of 2018 namely Velusamy passed away. Hence, the second respondent in A.S.No.868 of 2018 filed a petition to transpose her as the appellant in A.S.No.868 of 2018. On being satisfied with the reasons stated in the affidavits filed in support of this petitions and also considering the submissions made on either side, this Court is inclined to allow the petition. Accordingly, this petition is allowed without costs.

10.07.2025

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

R.SAKTHIVEL, J.



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