



WEB COPY

CMP.Nos.17031, 17021 & 17028 of 2023 in A.S.No.291 of 2016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.Nos.17013, 17021 & 17028 of 2023

in

A.S.No.291 of 2016

1. A.P.Killiparamanandhavalavan
2. P. Akila Maheswari
3. S. Thilagavathy
4. Vedhanayagi

... Petitioners /
Appellants in all CMPs

Vs.

- A.S.Nataraja Gounder (died)
A.S.Amaravathi Gounder (died)
1. Suganya
 2. Manickam
 3. A.N.Jayalakshmi
 4. A.N.Sivasubramanian
 5. A.N. Vijayan

... Respondents /
Respondents 3 to 7 in all CMPs

6. Mrs. Saraswathi
7. Mrs. Rajarajeshwari
8. Mrs. Mangaiyarkarasi
9. Mrs.Deepa

... Proposed respondents 8 to 11 /
Legal Heirs of deceased 2nd respondent /
Respondents 6 to 9 in all CMPs

PRAYER IN CMP.No.17021 of 2023 : This Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying to condone the delay of 860 days in filing to set aside abatement of the above appeal in so far as the second respondent in concerned caused due to his death.



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PRAYER IN CMP.No.17028 of 2023 : This Civil Miscellaneous Petition filed under Order 22 Rule 9 of CPC, praying to set aside the abatement of the above appeal in so far as the second respondent is concerned caused by his death.

PRAYER IN CMP.No.17013 of 2023 : This Civil Miscellaneous Petition filed under Order 22 Rule 4 of CPC, praying to bring on record the respondents 6 to 9 viz., Mrs. Saraswathi, Mrs. Rajarajeshwari, Mrs. Mangaiyarkarasi and Mrs. Deepa, the legal heirs of the deceased second respondent as respondents 8 to 11 in the above appeal.

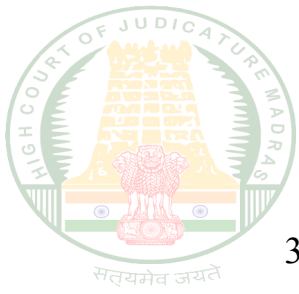
For Petitioners : Mr.R.Asokan in all CMPs

For Respondents : Mr.M. Rajasekar in all CMPs

COMMON ORDER

CMP.No.17021 of 2023 has been filed to condone the delay of 860 days in filing the set aside abatement of the above appeal in so far as the second respondent in concerned caused due to his death.

2. CMP.No.17028 of 2023 has been filed to set aside the abatement of the above appeal in so far as the second respondent is concerned caused by his death.



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3. CMP.No.17013 of 2023 has been filed to to bring on record the respondents 6 to 9 viz., Mrs. Saraswathi, Mrs. Rajarajeshwari, Mrs. Mangaiyarkarasi and Mrs. Deepa, the legal heirs of the deceased second respondent as respondents 8 to 11 in the above appeal.

4. Heard Mr.R.Asokan, learned counsel for the petitioners and Mr.M. Rajasekar, learned counsel for the respondents.

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.

18.06.2025

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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.291 of 2016

18 / 06 / 2025

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