



WEB COPY



CMP No. 29514 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-02-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP NO. 29514 of 2024

in SA No. 827 of 2006

P Pachaiyammal(deceased), 1. Kanniyappan
S/o. Parama Gounder, 73A, Kulathu Street,
Peranambakkam Village, Chetpet
Taluk, Tiruvannamalai 606 801 and 3 Others

Appellant(s)

Vs

VISWAPATHIRAN (Deceased), 1. Ponnusamy
S/o. Rama Gounder, Peranampakkam Village,
Morakkaniyanur Post, Vandavasi Taluk,
Tiruvannamalai District and 5 Others

Respondent(s)

PRAYER: To restore the above S.A No. 827 of 2006 and pass such other or further orders as this Honourable court may deem fit and proper in the interest of justice.

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For Appellant(s):

M/s. Koviramalingam

For Respondent(s):



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ORDER

CMP No. 29514 of 2024, has been filed to restore SA No. 827 of 2006.

2. The learned counsel for the petitioner submits that the petitioner's mother was not known about the death of the first respondent and also the petitions were misplaced in the Court office and it could not be traced, and the petitioner's mother was not aged about 87 years at that time so she was not able to give instructions to the advocate to rectify the same. Hence, he prays to condone the delay of 4290 days in filing the petition to set aside the abatement of S.A No. 827 of 2006 as far as first respondent is concerned and set aside the abatement of the said second appeal. Further, he filed the petition to bring in the legal representatives of the deceased respondent.

3. Considering the facts and circumstances of the case, the reason assigned by the petitioner is satisfactory. Accordingly, CMP NO. 29514 of



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2024 is ordered. Registry is directed to list the main appeal on 16.06.2025.

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To

1. The Subordinate Judge, Cheyyar.
2. The District Munsif, Vandavasi, Thiruvannamalai District.