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CMP.Nos. 16245, 16248 & 16253 of 2025 in A.S.No. 17 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CMP.Nos. 16245, 16248 & 16253 of 2025

in

A.S.No. 17 of 2021

1. R.Srinivasan
2. C.Vedavalli

...Petitioners

Versus

C.A.Susheela (Deceased)

1.Auxilia Christina Arokiadass

2.D. Jude Joseph

3.Gemma Bridget D'silva

4.Mary Lucy

5.Margaret Mary

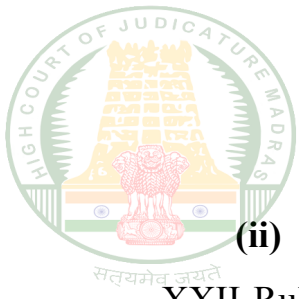
6.Auxilia Francis D'silva

7.Augustine Francis D'Silva

8.Patrica Xavier

...Respondents

Prayers: (i) Civil Miscellaneous Petition No.16245 of 2025 filed under Section 5 of the Limitation Act, praying to condone the delay of 227 days to set aside the abatement of the above Appeal Suit against the deceased first respondent.



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(ii) Civil Miscellaneous Petition No.16248 of 2025 filed under Order XXII Rule 9(2) of the Code of Civil Procedure, 1908 praying to set aside the abatement of the above Appeal Suit against the deceased first respondent.

(iii) Civil Miscellaneous Petition No.16253 of 2025 filed under Order XXII Rule 4(1) of the Code of Civil Procedure, 1908 praying to bring on record the respondents 2 to 8 above named as the legal heirs of deceased C.A.Suseela (deceased) 1st respondent and rank them as the respondents 3 to 9.

For Petitioners : Mr.K.Ranjith
For Mrs.V.Mythili

For RR1 to 8 : Mr.S.Rajendran

ORDER

Mr.K.Ranjith, representing Mrs.V.Mythili, learned Counsel on record for the petitioners and Mr.S.Rajendran, learned Counsel on record for the Respondent Nos.1 to 8 are before this Court.

2.Mr.S.Rajendran, learned Counsel on record for the Respondent Nos.1 to 8 submits that he has no objection to allow these petitions. To that effect, he has also made an endorsement in the case file.



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3. In view of the endorsement made by the learned Counsel for the

Respondent Nos.1 to 8 and in view of the reasons assigned in the affidavit, this

Court is inclined to allow these Civil Miscellaneous Petitions.

4. Accordingly, these Civil Miscellaneous Petitions are allowed.

22.07.2025

MSM

Note: Registry is directed to carry out necessary amendment in the main appeal and list the same on 01.08.2025.



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R. SAKTHIVEL, J.,

MSM

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