

CMP Nos.19234, 19235 and 19237 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01-08-2025**

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

CMP Nos.19234, 19235 and 19237 of 2021

in S.A.No.771 of 2009

Subramaniya Gounder
S/o. Rama Gounder,
Veluganandal Village,
Tiruvannamalai Dist.

Petitioner in all cases

Vs

SEKAR
Died S/o Pachaimuthu Gounder Veluganandal
Village, Thiruvannamalai Dt and 8 Others

Respondents in all cases

In all cases

For Petitioner :

Mr.T.R.Rajaraman

For Respondents :

Ms.G.Sumitra For R2 to R4

COMMON ORDER

Affidavit of service has been filed and the private notice issued to the Legal Representatives of the deceased first respondent viz., 6th - 9th respondents, have been served. Acknowledgment cards have also been produced. In view of the same, the said proposed respondents R6-R9 are set exparte in these applications.

2. These applications have been filed to condone the delay in filing the applications to set aside the abatement caused due to the death of the



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first respondent, to set aside abatement and to bring on record his legal representatives.

3. Even though the delay appears to be considerable, it is seen that the proposed respondents though have received notice, have not taken any steps to appear before this Court. In the affidavit filed in support of the petitions, it had been stated that the death of the first respondent was not known to the petitioners and immediately after coming to know the same, the applications were filed, however with delay.

4. At any rate, the Second Appeal had been admitted and substantial questions of law had also been framed. This casts a duty on the Court to answer the substantial questions of law.

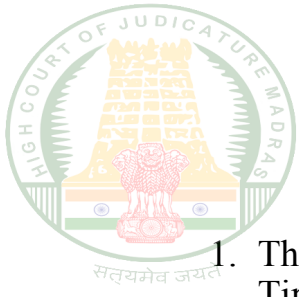
5. Hence, these applications are allowed and the delay in filing the application to set aside abatement stands condoned. The abatement is set aside and the legal representatives as stated in the applications to be brought on record as further respondents in the second appeal.

01-08-2025

vum

To

2/4



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1. The Principal Subordinate Judge,
Tiruvannamalai.
2. The Principal District Munsif, Tiruvannamalai.

C.V. KARTHIKEYAN,J.,

vum



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