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CMP.Nos.16652, 16656 & 16663 of 2025 in A.S.No.351 of 1993

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2025

CORAM:

**THE HONOURABLE MR. JUSTICE R.SAKTHIVEL**

CMP.Nos.16652, 16656 & 16663 of 2025

in

A.S.No.351 of 1993

C.Doraisamy (Died)

1. D.S.Gunasekaran

... Petitioner /

2nd Appellant in all CMPs

**Vs.**

C.Sengottaian (Died)

Samiyathal (Died)

Kolandasamy (Died)

1. Dhachanamoorthy

2. Chinnathal @ Nirmaladevi (not heard of)

3. Saroja @ Saraswathi

4. Thulasiammal (not heard of)

5. Vijayakumar

D.Kanagaraj (Died)

6. Damayanthi

7. Selvanayagi

8. Tmt. Gajalakshmi

... Respondents /

Respondents in all CMPs

9. Smt.Karunai Ammal

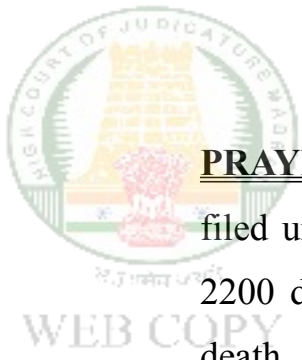
10. Sumathi

11. Mani @ Loganathan

12. Paripoornam

... Proposed Respondents /

Legal heirs of deceased 1st respondent  
in all CMPs



**PRAYER IN CMP.No.16652 of 2025** : This Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying to condone the delay of 2200 days in filing petition to set aside the abetment caused due to the death of first respondent Mr.Sengottaian in the above first appeal in A.S.No.351 of 1993.

**PRAYER IN CMP.No.16656 of 2025** : This Civil Miscellaneous Petition filed under Order XXII Rule 9 (2) of Code of Civil Procedure, 1908, praying to set aside the abatement caused due to the death of first respondent Mr.Sengottaian in the above first appeal in A.S.No.351 of 1993.

**PRAYER IN CMP.No.16663 of 2025** : This Civil Miscellaneous Petition filed under Order XXII Rule 4 of Code of Civil Procedure, 1908, praying to bring on record 1) Mrs. Karunai Ammal, 2) Smt. Sumathi, 3) Mani @ Loganathan and 4)Paripooranam, who are the proposed respondents herein as the legal heirs of the deceased first respondent Mr.Sengottaian as the respondents 13 to 16 in the above first appeal in A.S.No.351 of 1993.

|                |                                                                 |
|----------------|-----------------------------------------------------------------|
| For Petitioner | : Mr.D.Selvaraju in all CMPs                                    |
| For R1 to R3   | : Mr.R.P.Ruban Chakaravathy<br>for M/s.V.V.Sathya in all CMPs   |
| For R5         | : Mr.R.P.Ruban Chakaravathy in all CMPs                         |
| For R6 & R7    | : Mr.S.Vijaya Kumar in all CMPs                                 |
| For R9 to R12  | : Mr.I. Pragatheesh<br>for Mr.S.Kaithamalai Kumaran in all CMPs |

**COMMON ORDER**



CMP.No.16652 of 2025 has been filed to condone the delay of 2200 days in filing petition to set aside the abetment caused due to the death of first respondent Mr.Sengottaian in the above first appeal in A.S.No.351 of 1993.

2. CMP.No.16656 of 2025 has been filed to set aside the abatement caused due to the death of first respondent Mr.Sengottaian in the above first appeal in A.S.No.351 of 1993.

3. CMP.No.16663 of 2025 has been filed to bring on record 1) Mrs. Karunai Ammal, 2) Smt. Sumathi, 3) Mani @ Loganathan and 4)Paripooranam, who are the proposed respondents herein as the legal heirs of the deceased first respondent Mr.Sengottaian as the respondents 13 to 16 in the above first appeal in A.S.No.351 of 1993.

4. Heard Mr.D.Selvaraju, learned counsel on record for the petitioner, Mr.R.P.Ruban Chakaravarthy, representing M/s.V.V.Sathya, learned counsel on record for the respondent Nos.1 to 3, Mr.R.P.Ruban Chakaravarthy, learned counsel on record for the fifth respondent, Mr.S.Vijaya Kumar, learned counsel on record for the respondent Nos. 6 & 7 and Mr. I.Pragatheesh, representing Mr.S.Kaithamalai Kumaran,



learned counsel for the respondent Nos. 9 to 12.

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5. Mr.I.Pragatheesh, learned representing counsel for the respondent Nos.9 to 12 submits that his senior is going to file vakalat to appear on behalf of the respondent Nos. 9 to 12. In other words, Mr.S.Kaithamalai Kumaran, learned counsel undertakes to file vakalat for the respondent Nos. 9 to 12.

6. This Court has perused the affidavits filed in support of the petitions and on being satisfied with the reasons stated in the aforesaid affidavits and also considering the submissions made on either side, this Court is inclined to allow these petitions. Accordingly, these civil miscellaneous petitions are allowed without costs.

**04.08.2025**

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

**R.SAKTHIVEL, J.**



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