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CMP.Nos.16673, 16685 & 16686 of 2025 in A.S.No.317 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.Nos.16673, 16685 & 16686 of 2025

in

A.S.No.317 of 2015

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

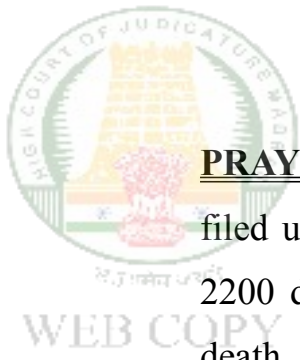
10. Sumathi

11. Mani @ Loganathan

12. Paripoornam

... Proposed Respondents /

Legal heirs of deceased 1st respondent
in all CMPs



PRAYER IN CMP.No.16673 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.317 of 2015.

PRAYER IN CMP.No.16685 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.317 of 2015.

PRAYER IN CMP.No.16686 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.317 of 2015.

For Petitioner	: Mr.D.Selvaraju in all CMPs
For R1 to R3	: Mr.R.P.Ruban Chakaravathy 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 for Mr.S.Kaithamalai Kumaran in all CMPs

COMMON ORDER



CMP.No.16673 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 appeal suit in A.S.No.317 of 2015.

2. CMP.No.16685 of 2025 has been filed to set aside the abatement caused due to the death of first respondent Mr.Sengottaian in the above appeal suit in A.S.No.317 of 2015.

3. CMP.No.16686 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 appeal suit in A.S.No.317 of 2015.

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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