



A Nos.3763, 3764 and 3765 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **05-08-2025**

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

A Nos.3763, 3764 and 3765 of 2025

in TOS No.80 of 2013

S.Jayanthi and another
W/o.Late B.Sampath Kumar, No.4, Kasturi
Estate, 2nd Street, Teynampet,
Chennai 600 018. and another

Applicants

Vs

Mrs.Vijaya Manohar (Deceased)
1.Mr.N.S.Manohar and 2 others
No.26B, Eldams Road, Teynampet,
Chennai 600 018. and 2 Others

Respondents

For Applicants:

Ms.P.S.Deepika

For Respondents:

Ms.Monica

COMMON ORDER

These three applications have been filed consequent to the death of the sole defendant in T.O.S.No.80 of 2013, to bring on record her legal representatives as further respondents / defendants.

2. The delay is quite considerable, but let me not hold it against the applicant since the parties had, with prudence and wisdom, entered into a Memorandum of compromise with the assistance of the Mediator of the Mediation and Conciliation Centre attached to this Madras High Court.



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C.V. KARTHIKEYAN,J.,

vum

3. The report of the Mediation is also enclosed herewith.

4. Today the plaintiffs in the Testamentary Original Suit viz., S.Jayanthi and Minor B.S.Vishnu Priya are present. Their obligation is to pay a sum of Rs.36,00,000/- to the legal representatives who are sought to be impleaded.

5. Both the learned counsels are also present and I am confident that this commitment would be kept by the plaintiffs in the Testamentary Original Suit.

6. Taking all these factors into consideration, I have condoned the delay in filing the application to set aside abatement, to set aside abatement and to bring on record the legal representatives as further defendants in the suit. Accordingly, these applications stand allowed.

05-08-2025

(1/3)

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