



C.M.P. No.22803, 22805 & 22809 of 2023
in S.A. No. 1586 of 2010
and S.A. No. 1586 of 2010

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

C.M.P. No.22803, 22805 & 22809 of 2023
in S.A. No. 1586 of 2010
and S.A. No. 1586 of 2010

C.M.P. No. 22803 of 2023:-

Vedhachala Naicker

...Applicants

Vs.

- 1.Perumal Naicker
- 2.Shanmugu Naicker (deceased)
- 3.Rajalakshmi Ammal (deceased)
- 4.Ulagabhushanam
- 5.Thayammal @ Latha
- 6.Sundari
- 7.Sarala
- 8.Kotteshwari
- 9.Dhanasekaran
- 10.Balaraman

... Respondents

Prayer : This Petition has been filed under Section 5 Limitation Act, praying to condone the delay of 4422 days in filing the application to set aside the abatement caused due to the death of third respondent in S.A. No. 1586 of 2010.

For applicant : M/s.V.Srimathi
For Respondents : M/s.Paul & Paul (R1)



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C.M.P. No. 22805 of 2023:-

Vedhachala Naicker

...Applicants

Vs.

- 1.Perumal Naicker
- 2.Shanmugu Naicker (deceased)
- 3.Rajalakshmi Ammal (deceased)
- 4.Ulagabhushanam
- 5.Thayammal @ Latha
- 6.Sundari
- 7.Sarala
- 8.Kotteshwari
- 9.Dhanasekaran
- 10.Balaraman

... Respondents

Prayer : This Petition has been filed under Order XXII Rule 9 of CPC praying to set aside the abatement in S.A. No. 1586 of 2010 caused due to the death of second respondent.

For applicant : M/s.V.Srimathi
For Respondents : M/s.Paul & Paul (R1)

C.M.P. No. 22809 of 2023:-

Vedhachala Naicker

...Applicants

Vs.

- 1.Perumal Naicker
- 2.Shanmugu Naicker (deceased)
- 3.Rajalakshmi Ammal (deceased)
- 4.Ulagabhushanam
- 5.Thayammal @ Latha
- 6.Sundari
- 7.Sarala
- 8.Kotteshwari
- 9.Dhanasekaran



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10. Balaraman

... Respondents

Prayer : This Petition has been filed under Order XXII Rule 3 of CPC praying to bring on record the respondents 4 to 10 herein as legal representatives of deceased second respondent and array them as appellants 4 to 10 in S.A. No. 1586 of 2010.

For applicant : M/s.V.Srimathi

For Respondents : M/s.Paul & Paul (R1)

COMMON ORDER

These petitions have been filed to condone the delay in filing the application to set aside the abatement caused due to the death of the second respondent along with petition to set aside the abatement and also to bring on records the legal representatives of the deceased.

2. Heard the learned counsel for the petitioner and the learned counsel for the first respondent.

3. Being satisfied with the reasons stated in the affidavits filed in support of these petitions, these petitions are allowed. No costs.

4. Registry is directed to issue notice to the newly added parties returnable in three weeks. Private notice is also permitted.



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Dr.R.N.MANJULA, J.

Maya

5. Registry is also directed to list the above Second Appeal after three weeks.

23.09.2025

Maya

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