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CMP NO. 24063 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

C.M.P.Nos.24063, 24064 & 24060 of 2024

in

S.A.No.879 of 2016

A. Krishnan (Died) K. Viswanathan (Died) 1. K.
Pushpam
Residing at Door No.3/481, East Street,
Korathakkudi Village, Sannavur Post, Ariyalur
Taluk, Ariyalur District and 7 Others

Appellant(s)

Vs

Azhagesan,
S/o.Natarajan, res at Korathakkudi Village,
Sannavur Post, Ariyalur Taluk, Ariyalur District
and 2 Others

Respondent(s)

For Appellant(s):

Mr.S.M.S.Shriram Narayanan

For Respondent(s):

Ms.R.Poornima (For R1 to R3)

COMMON ORDER

The Civil Miscellaneous Petitions have been filed to condone the delay
of 1616 days in seeking to set aside the abatement caused due to the death of



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the 2nd appellant Viswanathan in S.A.No.879 of 2016; to set aside the abatement caused due to the death of the 2nd appellant Viswanathan in the second appeal and to bring the petitioners 1 and 5 to 8 herein on record as the legal representatives of the deceased 2nd appellant Viswanathan in the above Second Appeal and rank the appellants 3 and 7 to 10 in the second appeal respectively.

2. The Legal Heirship Certificate of the 2nd appellant produced before this Court would indicate that the petitioners 1 and 5 to 8 herein are the Legal Heirs of the deceased second appellant.

3. In view of the same, I find no impediment in ordering the present petitions.

4. Accordingly, C.M.P.No.24063 of 2024 is ordered as prayed for and the delay of 1616 days is condoned.

5. The abatement caused due to the death of the 2nd appellant is set



aside and hence, C.M.P.No.24064 of 2024 is ordered as prayed for.

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6. The Petitioners 1 and 5 to 8 in C.M.P.No.24060 of 2024 are ordered to be brought on record as Legal Representatives of the deceased 2nd appellant as appellants 3 and 7 to 10 in the Second Appeal and the petition in C.M.P.No.24060 of 2024 is ordered as prayed for.

10-07-2025
(2/3)

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Note: Registry is directed to carry out the necessary amendments on or before 25.07.2025.

To

1. Azhagesan,
S/o.Natarajan, res at Korathakkudi Village, Sannavur
Post, Ariyalur Taluk, Ariyalur District

2. MURUGESAN
S/o.Natarajan, res at Korathakkudi Village, Sannavur Post, Ariyalur Taluk,
Ariyalur District

3. SAKTHIVEL
S/o.Natarajan, res at Korathakkudi Village, Sannavur Post, Ariyalur Taluk,
Ariyalur District

K.KUMARESH BABU, J.



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