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CMP NO. 25230 of 2023
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25-07-2025**

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

CMP Nos.25230, 25231 & 25232 of 2023

in

S.A.No.314 of 2017

Sasikala

W/o. Late Gunasekaran, No.24/8, 2nd Street,
Shurfudeen Garden, Royatettah, Chennai-14. and
another

Appellant(s)

Vs

R.Kanniammal
(Deceased) and 5 Others

Respondent(s)

For Appellant(s):

Mr.P.Seshadri (in all petitions)

For Respondent(s):

Mr.S.Rajendrakumar
(For R2 & R3) (in all petitions)

COMMON ORDER

The present Civil Miscellaneous Petitions have been filed to Condone the delay of 1556 days in filling the set aside the abatement petition due the death of sole respondent in the Second Appeal; To set aside the abatement due to the death of sole respondent and to bring the Proposed respondents as



Legal Heirs of the deceased sole respondent, R.Kanniammal as respondents
the Second Appeal respectively.

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2. Fresh Notice to the proposed respondents 4 to 6 had been ordered by this Court on 04.12.2024. The proposed respondents 2 to 6 are the Legal Heirs of the deceased sole respondent. The second and the third proposed respondents are represented by a learned counsel, who would submit that the respondents 2 to 6 alone are the Legal Heirs of the deceased sole respondent. He would further submit that the deceased sole respondent had settled the property in favour of the respondents 2 and 3, who would effectively contest the matter and the respondents 4 to 6 may be only formal parties.

3. In such view of the matter, the present civil miscellaneous petitions are ordered as prayed for.

4. Accordingly, the delay of 1556 days in filing the set aside abatement petition stands condoned; the abatement caused due to the death of the sole respondent is set aside and the proposed respondents are brought on record as



Legal Heirs of the deceased sole respondent in the Second Appeal
respectively.

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(1/2)

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Note: Registry is directed to carry out the necessary amendments on or before 08.08.2025.

To

1. R.Kanniammal
(Deceased)

2. R.Devarajan
S/o. Late Raja Mudaliar, No.24/8, 2nd Street, Shurfudeen Garden,
Royapettah, Chennai-14.

3. R.Radhakrishnan
S/o. Late Raja Mudaliar, No.24/8, 2nd Street, Shurfudeen Garden,
Royapettah, Chennai-14.

4. Ravikumar
S/o. Late Raja Mudaliar, No.24/8, 2nd Street, Shurfudeen Garden,
Royapettah, Chennai-14.

5. B.Moorthy
S/o. Late Boopathy Mudaliar, No.24/8, 2nd Street, Shurfudeen Garden,
Royapettah, Chennai-14.

6. Ramadevi
D/o. Late Raja Mudaliar, No.24/8, 2nd Street, Shurfudeen Garden,
Royapettah, Chennai-14.



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K.KUMARESH BABU, J.

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