

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

CMP NO. 1962 of 2025

CMP NO. 1949 OF 2025, CMP NO. 1957 OF 2025

in SA NO. 217 OF 2018

PALANISAMI

S/o. Nanjappa Gounder, Thotta Salai,
Thayirpallampudur, Ikkarai Thathapalli Village,
Sathyamangalam Tk, Erode Dt.

Appellant(s)

Vs

SUBBAMMAL, Wife of Pungar Duraisami.
Thayirpallampudur, Ikkarai Thathappalli Village,
Sathyamangalam Taluk. and 9 Others

Respondent(s)

SA NO. 217 of 2018

PALANISAMI

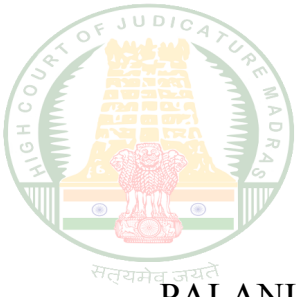
S/o. Nanjappa Gounder, Thotta Salai,
Thayirpallampudur, Ikkarai Thathapalli Village,
Sathyamangalam Tk, Erode Dt.

Appellant(s)

Vs

SUBBAMMAL

W/o. Pungar Duraisami, All Are Res At
Thayipallampudur, Ikkarai Thathappalli Village,
Sathyamangalam Tk, Erode Dt. and 3 Others
Respondent(s)



CMP NO. 1949 of 2025

PALANISAMI

**S/O LATE. NANJAPPA GOUNDER, Residing at
THOTTA SALAI, THAYIRPALLAMPUDUR,
IKKARAI THATHAPALLI VILLAGE,
SATHYAMANGALAM TK, ERODE DT.**

Appellant(s)

Vs

**SUBBAMMAL, W/o.Pungar Duraisami,
Thayirpallampudur, Ikkarai Thathappallai Village,
Sathyamangalam Taluk. and 9 Others**

Respondent(s)

CMP NO. 1957 of 2025

PALANISAMI

**S/o. Nanjappa Gounder, Thotta Salai,
Thayirpallampudur, Ikkarai Thathapalli Village,
Sathyamangalam Tk, Erode Dt.**

Appellant(s)

Vs

**SUBBAMMAL, Wife of Pungar Duraisami
Thayirpallampudur,
Ikkarai Thathappalli Village,
Sathyamangalam Taluk. and 9 Others**

Respondent(s)

For Appellant(s):

M/s.Ma.P.Thangavel

For Respondent(s):

Mr.S.M.S.Shriram Narayanan for rr1 to 3

COMMON ORDER

All the above petitions were filed to condone the delay of 817 days in filing



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the petition to set aside the abatement caused by the death of the 4th respondent, Pujjappa Gounder in the second appeal; to set aside the abatement caused due to the death of the 4th respondent and to bring on record the respondents 4 to 10 as legal representatives of 4th respondent and array them as respondents 5 to 9 in the second appeal.

2. Learned counsel for the petitioner had produced the copy of the Death Certificate of the 4th respondent, Pujjappa Gounder and also the legal heir certificate of the deceased.

3. A perusal of the legal heir certificate of the deceased 4th respondent reveals that the proposed respondents are the legal heirs of the deceased 4th respondent.

4. In such view of the matter, C.M.P.No.1962 of 2025 is ordered as prayed for and the delay of 817 days is condoned.

3/10



5. The abatement caused due to the death of the 4th respondent, Pujjappa

Gounder is set aside and hence, C.M.P.No.1949 of 2025 is ordered as prayed

for.

6. The respondents 4 to 10 in C.M.P.No.1949 of 2025 are ordered to be

brought on record as Legal Representatives of the deceased 4th respondent,

as respondents 5 to 9 in the Second Appeal and the petition in

C.M.P.No.1949 of 2025 is ordered as prayed for.

7. Registry is directed to carry out the necessary amendments in the second

appeal. Notice to the newly impleaded respondents returnable by 08.08.2025.

Private notice is also permitted.

8. List the matter on 08.08.2025.

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To

1. SUBBAMMAL, Wife of Pungar Duraisami.
Thayirpallampudur,
Ikkarai Thathappalli Village,
Sathyamangalam Taluk.

2. Saraswathi, Wife of Rangasami,
Thayirpallampudur,
Ikkarai Thathappalli Village,
Sathyamangalam Taluk.

3. Muthammal
Thayirpallampudur,
Ikkarai Thathappalli Village,
Sathyamangalam Taluk.
Nanjammal (Died)
Pujjappa Gounder (Died on 07.04.2020)
(Nagaraj-1st Son Died)

4. N.Mallika, Wife of Late.Nagaraj
No.300, MallikaThottam,
Rajiv Nagar, Chikarasampalayam,
Sathyamangalam Taluk,
Erode District.

5. N.Chandran, Son of Late.Nagaraj
No.300, MallikaThottam,
Rajiv Nagar, Chikarasampalayam,
Sathyamangalam Taluk,
Erode District.

6. N.Jayapal, Son of Late.Nagaraj
No.300, MallikaThottam,
Rajiv Nagar, Chikarasampalayam,
Sathyamangalam Taluk,



Erode District.
(Raj Gowder-2nd Son-Died)

7. R.Bakiyam, wife of Late Raj Gowder
Thayirpallampudur,
Ikkarai Thathappalli Village,
Bhavani Sagar Via,
Sathyamangalam Taluk.

8. R.Prema, Daughter of Late Raj Gowder
Thayirpallampudur,
Ikkarai Thathappalli Village,
Bhavani Sagar Via,
Sathyamangalam Taluk.

9. P.Nanjayan, Son of Late Pujjappa Gounder,
No.330, Thayirpallampudur,
Ikkarai Thathappalli Village,
Bhavani Sagar Via,
Sathyamangalam Taluk.
Erode District 638451.

10. Rathi, Daughter of Late Pujjappa Gounder
324, Gandhi Nagar, Rajan Nagar, Bannari, Sathyamangalam Taluk, Erode
District 638401.

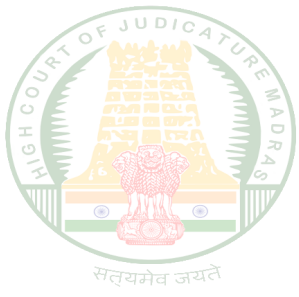
SA NO. 217 of 2018

1. SUBBAMMAL
W/o. Pungar Duraisami, All Are Res At Thayipallampudur,
Ikkarai Thathappalli Village, Sathyamangalam Tk, Erode Dt.

2. SARASWATHI
W/o. Rangasami

3. MUTHAMMAL
W/o. Arulmani

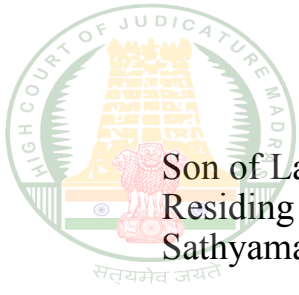
4. Nanjammal (died)
4. Pujjappa Gounder, S/o. Nanjunda Gounder



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CMP NO. 1949 of 2025

1. SUBBAMMAL, W/o.Pungar Duraisami,
Thayirpallampudur, Ikkarai Thathappallai Village,
Sathyamangalam Taluk.
2. Saraswathi, Wife of Rangasami
Thayirpallampudur, Ikkarai Thathappalli Village, Sathyamangalam Taluk.
3. Muthammal, Wife of Arulmani
Thayirpallampudur, Ikkarai Thathappallai Village, Sathyamangalam Taluk.
Nanjammal (Died),
Pujjappa Gounder, (Died on 07.04.2020)
(Nagaraj-1st son-Died)
4. N.Mallika, Wife of Late.Nagaraj
No.300, Mallika Thottam, Rajiv Nagar, Chikarasampalayam,
Sathyamangalam Taluk, Erode District.
5. N.Chandran, Son of Late.Nagaraj,
No.300.Mallika Thottam, Rajiv Nagar, Cikarasampalayam, Sathyamangalam
Taluk, Erode District.
6. N.Jayapal, Son of Late.Nagaraj
No.300.Mallika Thottam, Rajiv Nagar, Cikarasampalayam, Sathyamangalam
Taluk, Erode District.
7. R.Bakiyam, Wife of Late Raj Gowder,
Thayirpallampudur, Ikkarai Thathappalli Village, Bhavani Sagar Via,
Sathyamangalam Taluk.
8. R.Prema, Daughter of Late Raj Gowder
Thayirpallampudur, Ikkarai Thathappalli Village, Bhavani Sagar Via,
Sathyamangalam Taluk.
9. P.Nanjayan



Son of Late Pujjappa Gounder,
Residing at 330, Thayirpallam, Ikkarai Thathappalli Village,
Sathyamangalam Taluk, Erode District-638451.

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Daughter Late Pujjappa Gounder, Residing at 324, Gandhi Nagar, Rajan
Nagar, Bannari, Sathyamangalam Taluk, Erode District - 638401.

CMP NO. 1957 of 2025

1. SUBBAMMAL, Wife of Pungar Duraisami
Thayirpallampudur,
Ikkarai Thathappalli Village,
Sathyamangalam Taluk.

2. Saraswathi, Wife of Rangasami
Thayirpallampudur,
Ikkarai Thathappalli Village,
Sathyamangalam Taluk.

3. Muthammal, Wife of Arulmani
Thayirpallampudur,
Ikkarai Thathappalli Village,
Sathyamangalam Taluk.
Nanjammal (Died)
Pujjappa Gounder, (Died on 07.04.2020)
(Nagaraj-1st son Died)

4. N.Mallika, Wife of Late.Nagaraj
No.300, Mallika Thottam,
Rajiv Nagar, Chikarasapalayam,
Sathyamangalam Taluk,
Erode District.

5. N.Chandran, Son of Late.Nagaraj
No.300, Mallika Thottam,
Rajiv Nagar, Chikarasapalayam,
Sathyamangalam Taluk,
Erode District.

6. N.Jayapal, Son of Late.Nagaraj



No.300, Mallika Thottam,
Rajiv Nagar, Chikarasapalayam,
Sathyamangalam Taluk,
Erode District.

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Ikkarai Thathappalli Village, Bhavani Sagar Via, Sathyamangalam Taluk.
Erode District 638451.

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K.KUMARESH BABU,J.

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