



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.04.2025

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Coram

The Honourable Mr.Justice C.SARAVANAN

**Application Nos.1073, 1074 & 1075 of 2025
in C.S.No.550 of 2010**

R.Kumaran (Deceased)

1.K.Centhilkumaran

2.K.Banumathi

3.D.Vashumathi

...Applicants in all Applications

Versus

Mr.R.Nagarajan (Deceased)

1.Mr.R.Shanmugam

2.Mrs.Shenbagavalli @ Valliyammal

3.Mrs.D.Padmini

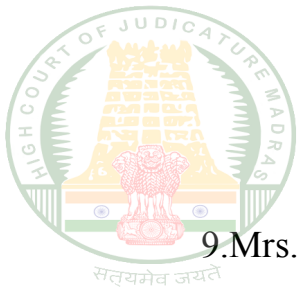
4.Mrs.G.Rahini

5.Mrs.S.Vimala

6.Mr.R.Murugesan

7.Mrs.S.Malliga

8.Mrs.M.Vijayakumari



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9.Mrs.S.Bharathi

10.Mr.S.Prabhu

11.Mrs.Kasthuri

12.Mr.M.Chandran

13.Mrs.Malarkodi

14.Bakiyalakshmi

15.Yugendhar

16.N.Rajeswari

17.N.Haribabu

18.N.Devi Kala

...Respondents in all Applications

Prayer in Application No.1073 of 2025 in C.S.No.550 of 2010:

Application filed under Order XIV Rule 8 of O.S. Rules r/w. Section 5 of the Limitation Act, 1963 praying to condone the delay of 957 days in seeking to set aside the abatement due to the death of the 2nd plaintiff in the above suit.

Prayer in Application No.1074 of 2025 in C.S.No.550 of 2010:

Application filed under Order XIV Rule 8 of O.S. Rules r/w. Order XXII Rule 9(2) of C.P.C praying to set aside the abatement on account of the death of the 2nd plaintiff.



Prayer in Application No.1075 of 2025 in C.S.No.550 of 2010:

WEB COPY Application filed under Order XIV Rule 8 of O.S. Rules r/w. Order XXII Rule 4 of C.P.C to bring on record the respondents 16 to 18 as defendants 12 to 14 being the legal heirs of the deceased 2nd plaintiff in C.S.No.550 of 2010.

For Applicants in all Applications : Mr.R.Udhayakumar

For Respondents R6, R11 to R13
in all Applications : Mr.V.Suriya Sankar

COMMON ORDER

These Applications have been filed by the Applicants (Plaintiff Nos.8 to 10 in C.S.No.550 of 2010) for the following reliefs:

(i) Application No.1073 of 2025 in C.S.No.550 of 2010 – for condoning the delay of 957 days in seeking to set aside the abatement due to the death of the 2nd Plaintiff in the above suit.

(ii) Application No.1074 of 2025 in C.S.No.550 of 2010 – for setting aside the abatement on account of the death of the 2nd Plaintiff.

(iii) Application No.1075 of 2025 in C.S.No.550 of 2010 – for bringing on record the Respondents 16 to 18 as Defendants 12 to 14 being the legal heirs of the deceased 2nd Plaintiff in C.S.No.550 of 2010.



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2. The learned counsel for the Respondent Nos.6, 11, 12 & 13 (Defendant Nos.1, 6, 8 & 9 in C.S.No.550 of 2010) submitted that he has no serious objection to these applications being allowed.

3. Having been satisfied with the reasons stated in the affidavit filed in support of these applications and also, considering the no objection expressed from the side of the Respondent Nos.6, 11, 12 & 13 (Defendant Nos.1, 6, 8 & 9 in C.S.No.550 of 2010), these Applications are ordered as prayed for.

4. Registry is directed to carry out the necessary amendment in the cause title of the plaint in C.S.No.550 of 2010. The learned counsel for the Plaintiffs is directed to file a clean copy of the amended plaint in C.S.No.550 of 2010 within a period of two weeks from today.

07.04.2025

mrr

Index : Yes/No



Speaking Order (or) Non Speaking Order

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C.SARAVANAN, J.

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