



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-12-2024

CORAM

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THE HONOURABLE MS JUSTICE R.N.MANJULA

CMP NO. 25828 OF 2024, CMP NO. 25829 OF 2024, CMP NO. 25831 OF 2024

IN

SA NO. 1271 of 2012

CMP NO. 25828 of 2024

S.Ramalingam
S/O Seenivasa Udayar, Ammapettai Village and
Post, Rep By Poa Tr.Sankar, S/O Ramalingam,
Ammappettai Village and Post, Harur Tk,
Dharmapuri Dist.

-Appellant in Cmp.25828, 25829, 25831 / 2024)

Vs

A.S.KRISHNAN (Died) 1. Krishnaveni
S/O Seenivasa Udayar, Ammapettai Village and
Post, Rep By Poa Tr.Sankar, S/O Ramalingam,
Ammappettai Village and Post, Harur Tk,
Dharmapuri Dist. and 4 Others

...Respondents 1 to 5/ proposed respondents 2 to 6
in Cmp.25828, 25829, 25831 / 2024)

In all CMPs

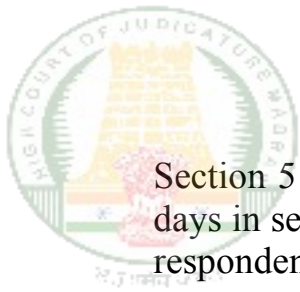
For Appellant(s) : Mr.P.Valliappan, Senior Counsel

For Respondent(s):

Sole Respondent - Died (steps Taken)

Mr.V.R.Shanmuganathan for RR1 to 5

Prayer in CMP.NO.25828/2024 in SA.No.1271/2012: Petition filed under



Section 5 of the Limitation Act, 1963 praying to condone the delay of 4058 days in seeking to set aside the abatement caused due to the death of the sole respondent A.S.Krishnan in S.A.NO.879 of 2016.

Prayer in CMP.NO.25831/2024 in SA.No.1271/2012: Petition filed under Order XXII Rule 4 of the Code of Civil Procedure, praying to bring the respondents 1 to 5 herein on record as legal representatives of the deceased sole respondent A.S.Krishnan and rank them as Respondents 2 to 6 in S.A.NO.1271 of 212.

Prayer in CMP.NO.25829/2024 in SA.No.1271/2012: Petition filed under Order XXII Rule 9 of the Code of Civil Procedure, praying to set aside the abatement caused due to the death of the sole respondent A.S.Krishnan in S.A.NO.1271 of 212.

COMMON ORDER

These petitions have been filed to condone the delay of 4058 days in filing the petition to set aside the abatement caused by the death of the sole respondent in the above second appeal and to bring on record the respondents 1 to 5 as legal representative of the deceased sole respondent as respondents in S.A.No.1271/2012.

2.Having satisfied with the reasons stated in the affidavits filed in support of these petitions, these petitions are ordered.

3.The Registry is directed to carryout the necessary amendment and list the second appeal in S.A.No.1271 of 2012 on 20.01.2025.

09.01.2025



To
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1. A.S.KRISHNAN (Died) 1. Krishnaveni
S/O Seenivasa Udayar, Ammapettai Village and Post,
Rep By Poa Tr.Sankar, S/O Ramalingam, Ammapettai
Village and Post, Harur Tk, Dharmapuri Dist.
2. K.Gnanasekarn
S/o. Late.A.S.Krishnan T.Ammappettai Post, Harur Taluk, Dharmapuri
District.
3. K.Baskaran
S/o. Late.A.S.Krishnan T.Ammappettai Post, Harur Taluk, Dharmapuri
District.
4. K.Karunanithi
S/o. Late.A.S.Krishnan T.Ammappettai Post, Harur Taluk, Dharmapuri
District.
5. Tamilselvi
W/o. Chinnaiyan D/o. Late.A.S.Krishnan Naickanur Village, Tirupattur
Taluk, Tirupattur District.