



C.M.P. Nos. 816, 818 & 821 of 2025
in S.A. No. 1270 of 2009

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2025

CORAM

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

C.M.P. Nos. 816, 818 and 821 of 2025
in S.A. No. 1270 of 2009
and S.A. No. 1270 of 2009

N.Thiruvengadam ... Petitioner in all CMPs

Vs.

Subburaya Mudaliar (deceased)

- 1.Vajravelu Mudaliar
- 2.Ramasamy Mudaliar
- 3.Rukumani Ammal
- 4.Ammami Ammal
- 5.V.Parasuraman
- 6.V.Kasinathan
- 7.V.Ranganathan
- 8.G.Manimegalai
- 9.M.Tamilselvi
- 10.J.Abirami
- 11.A.Dharmakasthuri
- 12.Saminathan
- 13.Visvanathan
- 14.Jagannathan
- 15.Mangayarkkarasi
- 16.Parvathavarthini
- 17.Punithavarthini
- 18.Vinayagam

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19.Kamatchi

... Respondents in all CMPs

Prayers :

(i) Application No.816 of 2025 has been filed under Section 5 of the Limitation Act, praying to condone the delay of 181 days in taking out the application to set aside the abatement caused upon the demise of the Subburaya Mudaliar;

(ii) Application No.818 of 2025 has been filed under Order 22 Rule 9(2) of the Code of Civil Procedure praying to set aside the abatement caused upon the demise of the 1st respondent, Subburaya Mudaliar; and

(iii) Application No.821 of 2025 has been filed under Order 22 Rule 4 of the Code of Civil Procedure praying to bring on record the proposed 12 to 19 respondents herein and rank them as respondents in the Second Appeal as the legal heirs of the deceased 1st respondent, Subburaya Mudaliar.

For applicant : Mr.S.Arokiamaniraj

For Respondents : Mr.R.Rajan (R2), R5 to R11)



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These applications have been filed for the following reliefs:

- (i) Application No.816 of 2025 - to condone the delay of 181 days in taking out the application to set aside the abatement caused upon the demise of the Subburaya Mudaliar;
- (ii) Application No.818 of 2025 - to set aside the abatement caused upon the demise of the 1st respondent, Subburaya Mudaliar; and
- (iii) Application No.821 of 2025 - to bring on record the proposed 12 to 19 respondents herein and rank them as respondents in the Second Appeal as the legal heirs of the deceased 1st respondent, Subburaya Mudaliar.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents, who has stated no objection for ordering these applications.

3. Mr.R.Rajan, learned counsel takes notice on behalf of the newly impleaded respondent Nos. 12 to 19.



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5. List the Second Appeal under the caption 'for arguments' on 17.09.2025.

08.09.2025

Maya



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Dr. R.N.MANJULA, J.

Maya

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