



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2025

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
AND
THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**C.M.P.(MD)Nos.12040 to 12042 of 2025
in AS(MD)No.65 of 2019**

1.S.A.Anbumuthu
2.Hema Malini
3.Meenalakshmi
4.Iswarya Nallu

... Petitioners/Appellants

vs.

K.Santhosh Kumar

... Respondent/Respondent

PRAYER: Civil Miscellaneous Petition is filed under Section 69-A of Tamil Nadu Court Fees and Suits Valuation Act, 1955 r/w 151 C.P.C to order refund of court fee of Rs.2,82,459/50/- paid in AS(MD)No.57 of 2016 dated 26.09.2023 on the file of this Court.

For Petitioners : Mr.S.Ramesh

ORDER

(Order of the Court was made by **C.V.KARTHIKEYAN, J.**)

These three applications have been filed to condone the delay of 122 days



WEB COPY

in filing the petition to set aside the abatement consequent to the death of the second respondent, to set aside the abatement and to bring on record the legal representatives as the respondents 11 and 12.

2. In the affidavit filed in support of these petitions, it had been contended that the second respondent died on 08.08.2020 leaving behind the proposed respondents as his legal representatives. It had been further contended that in the connected appeal in A.S(MD)No.111 of 2019, when it was listed for hearing it was informed that the second respondent had died and it had been stated that the said proposed respondents were made as parties and were impleaded in the connected A.S.(MD)No.111 of 2019.

3. The learned counsel appearing for the proposed respondents in AS(MD)No.111 of 2019 is also present.

4. We would allow these three applications. Registry is directed to carry out the necessary amendemnt in the cause title reflecting the death of the second respondent and bringing on record the legal representatives as the respondents 11



WEB COPY

and 12.

5. List the appeals for hearing on 13.10.2025.

(C.V.K., J.) (R.V., J.)
16.09.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
CM



WEB COPY



C.V.KARTHIKEYAN, J.
and
R.VIJAYAKUMAR, J.

CM

C.M.P.(MD)Nos.12040 to 12042 of 2025
in AS(MD)No.65 of 2019



WEB COPY



16.09.2025