



C.M.P.(MD)Nos.18159 & 18161 of 2025
in A.S.(MD)No.89 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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in A.S.(MD)No.89 of 2017

Mathavan (Died)

1.M.Muniyammal

2.Kannan

3.Saravanan (Died)

4.Krishnaveni

5.Minor S.Sivadharshini

6. Minor S.Mathumitha

... Petitioners in
both C.M.Ps.

(The 5th and 6th minor proposed
appellants represented through their
mother/next friend 4th proposed appellant)

-VS-

1.Thirugnanasampantham (Died)

2.A.Ganapathy



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3.Indira

4.Amutha

5.Mathana

6.Mathan

Karthi (Died)

7.Kasthuri

8.Balachandar

9.Bhuvaneswari

10.Krishnan Servai

11.The Government of Tamil Nadu,
Represented by its District Collector,
Sivagangai,
Collectorate Complex,
Sivagangai Town,
Sivagangai District.

12. T.Indira

13.T.Thiyagamoorthy

14.T.Mahalakshmi

15.T.Velmurugan

... Respondents in
both C.M.Ps.

(Respondents 3 to 10 were called absent and set ex-parte before the trial Court. Hence, notice may be dispensed with)

COMMON PRAYER: Petitions filed under Order 4 Rule 9(4) of AS Rules to condone the delay of 1659 and 206 days in re-presenting the



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civil miscellaneous petitions in C.M.P.(MD)SR.Nos.33778 to 33780 of 2018 and C.M.P.(MD)SR.Nos.62778 to 62780 of 2024 in A.S.(MD)No. 89 of 2017 respectively.

For Petitioner : Mr.J.Anandkumar

COMMON ORDER

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

These two applications have been filed to condone the delay of 1659 days in representing the petitions filed relating to the death of the third appellant and to condone the delay of 206 days in representing the petitions filed relating to the death of the first respondent.

2. The third appellant and the first respondent had died and Civil Miscellaneous Petitions have been filed to condone the delay in filing the application to set aside the abatement, to set aside the abatement and to bring on record the legal representatives. Those petitions had been returned by the Registry for certain compliances and in representing the same, there has been a delay. These two applications



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have been filed to condone the delay in representing such applications relating to the death of third appellant and the first respondent.

3. In the affidavit, giving the reasons for the delay, it had been stated that when the civil miscellaneous petitions relating to the death of the third appellant and first respondent had been returned by the Registry, the counsel came to know about the death of the first respondent and thereafter, necessary amendment had to be carried out before representing the petitions. But, there was a delay in getting to know the details of the legal representatives. After getting to know the details of the legal heirs, those petitions have been filed.

4. Taking into consideration all the factors, both these Civil Miscellaneous Petitions are allowed. Registry may number the petitions, if therefore otherwise in order and put them for consideration before this Court.

[C.V.K., J.]

[R.V., J.]

vsm

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and
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vsm

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