



C.M.P.(MD)Nos.18554, 18557 & 18558 of 2025
in A.S.(MD)No.20 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.11.2025

CORAM:

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

C.M.P.(MD)Nos.18554, 18557 & 18558 of 2025
in A.S.(MD)No.20 of 2018

- 1.Krishnaveni
- 2.Govindhammal (Died)
- 3.Veeralakshmi
- 4.Veeraragavan
- 5.Sathiya Sheela

... Petitioners in
all C.M.Ps.

-VS-

- 1.Baluchamy (Died)
- 2.Venkatesan
- 3.Shanthi
- 4.Kumudhavalli
- 5.Kalaiselvi
(2 to 5 respondents/defendants
are the legal heirs of Baluchamy)
- 6.Sugunadevi



C.M.P.(MD)Nos.18554, 18557 & 18558 of 2025
in A.S.(MD)No.20 of 2018

7.Anbu Anitha

8.Murugesan

9.Saravanakumar

10.Praveenkumar

11.Thisaikarnan

12.Seenivasan

13.Sivakumar

... Respondents in
all C.M.Ps.

COMMON PRAYER: Petitions filed under Section 5 of Limitation Act, under Order 22 Rule 9(2) of CPC and Order 22 Rule 3 of CPC to condone the delay of 840 days in filing the petition to set aside the abatement caused due to the death of the 2nd appellant Govindhammal in A.S.(MD)No.20/2018, to set aside the abatement cause due to the death of the 2nd appellant and to bring on record the legal representatives of the deceased 2nd appellant and rank them as appellants 3 to 5.

For Petitioners : Mr.P.Muthuvijayapandian

COMMON ORDER

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

These three applications have been filed to condone the delay of 840 days in filing the application to set aside the abatement



C.M.P.(MD)Nos.18554, 18557 & 18558 of 2025
in A.S.(MD)No.20 of 2018

caused due to the death of the second appellant, to set aside the abatement and to bring on record the legal heirs as appellants 3 to 5 in the appeal.

2. In the affidavits, filed in the support of these petitions, it had been contended that owing to the sudden death of the second appellant and since there has been a communication gap giving information to the counsel, the delay had occurred in filing necessary applications.

3. The right to prosecute the appeal continues to the legal representatives of the deceased second appellant also. In view of that particular fact, we would condone the delay and allow these applications.

4. Accordingly, these applications are allowed. Registry to carry out necessary amendment in the cause title.

[C.V.K., J.]

[R.V., J.]

vsm

17.11.2025



WEB COPY



C.M.P.(MD)Nos.18554, 18557 & 18558 of 2025
in A.S.(MD)No.20 of 2018

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

vsm

C.M.P.(MD)Nos.18554, 18557 & 18558 of 2025
in A.S.(MD)No.20 of 2018

17.11.2025