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C.M.P.NO.597 OF 2010
IN S.A.NO.210 OF 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30/04/2026

CORAM

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

C.M.P.NO.597 OF 2010
IN S.A.NO.210 OF 2003

Kannan alias Krishnarajan
P.P.M.Perumal Chettiar
26/164, Kalaimagal Street,
B.Komarapalayam,
Tiruchengode Taluk,
Namakkal District – 638 183.

... Petitioner/Appellant

Vs.

P.Natarajan (died)

... 1st Respondent in Second Appeal

R.A.Varadarajan (died)

... 2nd Respondent in Second Appeal

1.V.Gowthaman
S/o.R.A.Varadarajan
5/13-12, Payaneer Estate,
Lakshmi Nagar,
Vasavi College Post,
Bhavani,
Erode District – 638 316.

... 1st Respondent/ 3rd Respondent
in Second Appeal/
Legal Representative of the
deceased 2nd Respondent
R.A.Varadarajan

2.N.Pushpa
18/21C, Narayana Nagar,
Kumarapalayam,
Tiruchengode Taluk,

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3.B.Hemalatha
W/o.Balaji Venkatesh,
18/21C, Narayana Nagar,
Kumarapalayam,
Tiruchengode Taluk,
Namakkal District – 638 183.

4.U.Senthamarai
W/o.G.Udayakumaran
187, Kalaimagal Street,
Kumarapalayam,
Tiruchengode Taluk,
Namakkal District – 638 183.

... Respondents 2 to 4/Legal
Representative of the
deceased 1st Respondent
P.Natarajan/Proposed Respondent
4 to 6 in Second Appeal

5.V.Soundammal,
W/o.R.A.Varadarajan
5/13-12, Payaneer Estate,
Lakshmi Nagar,
Vasavi College Post,
Bhavani,
Erode District – 638 316.

... 5th Respondents /Legal
Representative of the
deceased 2nd Respondent
R.A.Varadarajan/Proposed
7th Respondent in Second Appeal

PRAYER : Civil Miscellaneous Petition filed under XXII Rule 4 of the Code of Civil Procedure, 1908, praying to record the 1st Respondent V.Gouthaman and bring on record the 5th Respondent V.Soundammal as the legal representative of the deceased 2nd Respondent R.A.Varadarajan



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and add her as the 7th Respondent in the above Second Appeal.

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For Petitioner : Notice sent to Petitioner returned as
“Addressee deceased”

ORDER

Daily Order dated March 17, 2026 reads thus:

“The daily order dated March 12, 2026 which reads thus:-

“No representation for the petitioner.

2.However, with a view to adhere the principles of natural justice fully, and in the interest of justice, this CMP is adjourned to 17.03.2026.”

2.Today also there is no change i.e., no representation for the petitioner.

3.Considering the facts and circumstances and that this Civil Miscellaneous Petition was filed in the year 2010 and now, the Advocate has not turned up, this Court is inclined to issue notice to the petitioner.

4.Registry is directed to send notice to the petitioner intimating the date of hearing as April 30, 2026.

5.List the matter on April 30, 2026.

Note: Registry is directed to print the name of the petitioner as well as the petitioner’s counsel name.



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2. Notice sent to the Sole Petitioner is returned with the endorsement

“addressee deceased return to sender”

3. Hence, this Civil Miscellaneous Petition is dismissed as abated.

30/04/2026

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation : Yes / No
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R. SAKTHIVEL, J.

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