Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CMP Nos. 20059, 20060 & 20062 of 2026
in
SA No. 925 of 2022
and
CMP No. 19032 of 2022

Chinnappan Naidu
S/o.Late Narasimmalu Naidu,
Thenpalli Village and Post,
Via Thiruvalam,
Katpadi Taluk,
Vellore District.

..Appellant(s)

Vs

1. K.Neelammal
   W/o E.N.Krishnan,
   C/o Krishnan,

   Ramasamy Naidu (Died)

2. R.Sivamani
   Res at Krishna Nagar,
   I.T.I.Thenpalli Village and Post,
   Katpadi Taluk, Vellore District.

3. R.Sundaresalu (Died)

   E.N.Eganatha Naidu (Died)

4. Govindammal (Died)

5. Thayarammal
   D/o.Late Narasimmalu Naidu,

https://www.mhc.tn.gov.in/judis

WEB COPY

6. Varadhan
   S/o.Rajammal,

7. Govindan
   S/o.Rajammal,

8. Srinivasan
   S/o.Rajammal,

9. E.G.Yogamoorthy
   S/o Late Eithirajulu Naidu
   R5 to R9 are residing at
   Thenpalli Village and Post,
   Via Thiruvalam,
   Katpadi Taluk, Vellore District

10. Jayashree
    W/o Yogamoorthy,

11. Amavasai
    S/o Late Narasimman,

12. N.Subramani
    S/o Late Narasimmalu Naidu,

13. Ammayee Ammal
    W/o Ekanatha Naidu,
    No.19,Thenpalli Village and post,
    Via Thiruvalam,
    Katpadi Taluk, Vellore District

14. Indirani
    W/o S.Nagarajan,
    No.25, Thenpalli Village and Post,
    Via Thiruvalam,
    Katpadi Taluk, Vellore District

15. Dhana
    W/o Margandeyan,
    5/123, Budhar Salai,
    Sathiya Nagar, Ranipet.

https://www.mhc.tn.gov.in/judis

WEB COPY

16.Pushpa
W/o.Rajendiran,
Om Vinayaga Engineering Works,
MBT Road, BHEL Post,
Walajah Taluk, Vellore District.

17.Mohanammal
W/o.Deveraj,
No.5/163/148,
Old RTO Road,
Sathiya Nagar, Ranipet.

18.T.D.Ramakrishnan
S/o Desu Naidu,
1st Floor,
R.K.Commercial Complex,
Behind Ramamurthy Nagar Police Station
Bangalore 560 016

19.T.D.Ramalingam
S/o Desu Naidu
No.474, Main Road,
Kalivarthangal Village,
Kugaiyanallur Post,
Katpadi Taluk,
Vellore 632 515

20.D.Adikesavan
S/o Desu Naidu,
No.27, Vivayagam Salai,
S.M.Nagar, Velapadi,
Vellore 632 001.

21.Susilla
D/o Desu Naidu,
W/o Rajagopal Naidu,
Thimmasanipalli Village,
Chittoor, Andhra pradesh.

..Respondent(s)

CMP No. 20059 of 2026

To condone the delay of 736 days in filing Petition to set aside the abatement caused due to the death of the deceased 4th Respondent in the above SA.No.925 of 2022.

https://www.mhc.tn.gov.in/judis

WEB COPY

CMP No. 20062 of 2026

To bring the legal representative of the deceased 4th Respondent i.e. the respondents 18 to 21 proposed respondents 18 to 21 and rank them as respondents 18 to 21 in the above SA.No.925 of 2022.

CMP No. 20060 of 2026

To set aside the abatement caused due to the death of the deceased 4th Respondent in the above SA.No.925 of 2022.

For Appellant(s) in all CMPs: M/s.V.Ambika

For Respondent(s) in all CMPs: Mr.K.M.Balaji, For R13 & R14
RR1, 2, 5 to 12, 15 & 16 - No appearance
RR3, 4, 17 - Died

Order

These Civil Miscellaneous Petitions have been filed to set aside the abatement caused by the death of Govindammal, the fourth respondent herein and sixth defendant in the suit.

2. In the suit, she remained ex-parte and the appeal suit also she was remained ex-parte. Further, it is stated that the death of the fourth respondent came to the knowledge of the appellant only recently. Hence, they have come forward with the present petitions seeking to condone the delay of 736 days in filing petitions to set aside the abatement caused due to the death of the deceased fourth respondent, to set aside the abatement and to bring on record the legal representatives of the deceased fourth respondent.

https://www.mhc.tn.gov.in/judis

Order QR

WEB COPY

3. Since the fourth respondent / sixth defendant remained ex parte in the suit and also not participated in the appeal, this Court is of the view that impleading the legal heirs of the deceased fourth respondent/sixth defendant is not necessary. Accordingly, the petition to condone the delay of 736 days in filing petitions to set aside the abatement caused due to the death of the deceased fourth respondent is closed. Consequently, the petitions to set aside the abatement and to bring on record the legal representatives are also closed.

4. Post the Second Appeal under the caption “for final hearing” after three weeks.

27-10-2026

SSI

https://www.mhc.tn.gov.in/judis

WEB COPY

K.RAJASEKAR J.

SSI

CMP Nos. 20059, 20060 & 20062 of 2026
in SA No. 925 of 2022
and CMP No. 19032 of 2022

27-10-2026

https://www.mhc.tn.gov.in/judis