



WEB COPY

OSA No. 8 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HON'BLE MR.JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

**O.S.A.No. 8 of 2026
and
CMP.No.1042 of 2026**

Krishnakumar (Died)

- 1 Mr.Premkumar
S/o. Late Ganesan
No.24 Old No. 2/94
Nakkiran Street
East Mogappiar
Chennai -600 050.
- 2 Mr.Anandhakumar
S/o. Late Ganesan Block No.8 Dharmaraj
Koil Street Ganapathynagar Kolapakkam
Chennai - 602 101.
- 3 Mr.V.S.Rajendran
S/o. Late V. Subramaniam Naicker alias
V.S. Mani Naicker No.1 Vembuli Naicker Garden
Road Moolachatram Madhavaram Milk
Colony Chennai – 600 051.
- 4 Mr.V.S.Rajasayanam
S/o. Late V.Subramaniam Naicker alias
V.S. Mani Naicker No.1 Vembuli Naicker Garden
Road Moolachatram Madhavaram Milk
Colony Chennai – 600 051.



- 5 Mr.V.S.Rajathilagam
S/o. Late V.Subramaniam Naicker alias
V.S. Mani Naicker No.1 Vembuli Naicker Garden
Road Moolachatram Madhavaram Milk
Colony Chennai – 600 051.
- 6 Mr.V.S.Neelanesan
S/o. Late V.Subramaniam Naicker alias
V.S.Mani Naicker No.1 Vembuli Naicker Garden
Road Moolachatram Madhavaram Milk
Colony Chennai – 600 051.
- 7 Vijayalakshmi
Wife of Late Krishnakumar No.2 Kannan
Nagar Pozhichallur Chennai - 600 079.
- 8 Senthilnathan
Wife of Late Krishnakumar No.2 Kannan
Nagar Pozhichallur Chennai - 600 079.
- 9 Jotheeswari
Daughter of Late Krishnakumar
Wife of R.Gopinath No.2 Kannan Nagar
Pozhichallur Chennai - 600 079.
(Krishnakumar, the 6th defendant has died
leaving behind him Vijayalakshmi, Senthilnathan
and Jotheeswari as his legal heirs and have been
included as Appellants 7 to 9/ Deceased of 6th Defendant)

...Appellants

Vs

- 1 Mrs.Lakshmi
D/o. Late V.Subramaniam Naicker alias
V.S. Mani Naicker W/o. K. Manoharan
26/1, Palani Andavar Koil Street Ayanavaram
Chennai - 600 023.
- 2 Mr.V.S.Rajaram
S/o. Late V.Subramaniam Naicker alias
V.S. Mani Naicker No.5 Vembuli Naicker Garden



Road Moolachatram Madhavaram Milk
Colony Chennai -600 051.

3 Mr.Bhvaneswaran
S/o.Late Jambulingam No.1062 TVS Colony
48th Street A.A. Nagar Westen
Extension Area II Chennai - 600 101.

4 Ms.Kudiyarasi
D/o. Chellamal Old No.13 New No.18
Mandapam Lane Kilpauk
Chennai - 600 010.

5 Ms.Rajakumari
D/o. Chellammal Old. No.13 New No.18
Mandapam lane Kilpauk
Chennai - 600 010.

Gowri Shankar (Died)

6 Mrs.Hemanandhini
S/o. Late V.Subramaniam Naicker alias
V.S. Mani Naicker No.1 Vembuli Naicker Garden
Road Moolachatram Madhavaram Milk
Colony Chennai – 600051.

7 Mrs.R.Jayashree alias Jayalakshmi
D/o. Late V.Subramaniam Naicker alias
V.S. Mani Naicker No.1 Vembuli Naicker Garden
Road Moolachatram Madhavaram Milk
Colony Chennai – 600 051.

(Respondent .No.1 is the only contesting respondent/plaintiff.
Respondents 2 to 7 need not be served notice in the
present appeal since the said respondents did not file
any counter and participate in Appln.1871 of 2015
and are only Defendants in the main suit)

8 G.Bhuvaneshwari
Wife of Late Gowrishankar Old No.13 New
No.18 Mandapam Lane Kilpauk
Chennai - 600 010.

9 G.Selvakumar



Son of Late Gowrishankar Old No.13 New
No.18 Mandapam Lane Kilpauk
Chennai - 600 010.

10 G.Vinodhini

Daughter of Late Gowrishankar Old No.13
New No.18 Mandapam Lane Kilpauk
Chennai - 600 010.

11 G.Vinodh

Son of Late Gowrishankar Old No.13 New
No.18 Mandapam Lane Kilpauk
Chennai - 600 010.

(Gowrishankar, the 5th defendant has died and his legal heirs,
G.Bhuvaneshwari, G. Selvakumar, G.Vinodhini,
G.Vinodh have been included as Respondents 8 to 11 herein)

...Respondents

Prayer: Original Side Appeal filed under Clause 15 of Letters Patent read with Order XXXVI Rule 9 of Original Side Rules, praying to set aside the order dated 16.07.2021 passed in Application No.1871 of 2015 in C.S.No.808 of 2013.

For Appellant(s): M/s.B.Aparna Sundar
For Mr. K.Bijai Sundar

JUDGMENT

(Judgment of the Court was delivered by C.V.Karthikeyan J.)

The learned counsel appearing on behalf of the appellants sought permission of this Court to withdraw the present appeal. In this regard, she has also made the following endorsement:



“This O.S.A is not pressed by the appellants.”

2. In view of the same, the appeal stands dismissed as not pressed.

However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(C.V.K.,J.) (K.B.,J.)
23-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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