



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

CMP No. 10033 of 2022

IN

SA SR NO. 88585 of 2020

Vasudevan (died)

..Petitioner(s)

Vs

1. Boopathi
2. Seeman
3. Ramachandran
4. Ambujam
5. Muthammal
6. Periasaroja
7. Kasthuri
8. Manimegalai
9. Aruldevi
10. Dharmaraj (Minor)
Rep. by his Natural Guardian Mother
Dhanabakkiyam,

..Respondent(s)

To condone the delay of 2093 days in filing the appeal against the decree and judgment made in AS No.19/2010 dt. 24.03.2014 passed by the learned Sub Judge, Ariyalur.

For Appellant(s): Mr.G.Pugazhenth

For Respondent(s): Mr.S.M.S.Shriram Narayan for
M/s.P.V Law Associates for RR1 to 3,5,6

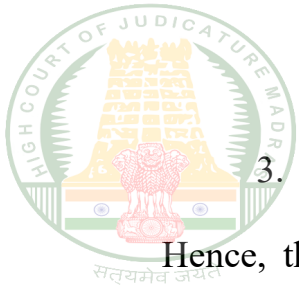


ORDER

WEB COPY

This petition has been filed seeking to condone the delay of 2093 days in filing the appeal against the decree and judgment made in AS No.19/2010 dt. 24.03.2014 passed by the learned Sub Judge, Ariyalur.

2. One Vasudevan was the appellant in A.S.No.19 of 2010. He was represented by his Power Agent, one Ramalinga Padayachi. After the presentation of the appeal, Vasudevan passed away on 12.07.2012. The appeal came to be dismissed by the learned Sub Judge, Ariyalur, on 24.03.2014. On the date of passing of the order, Saminathan was no more and the appeal had already abated well before 24.03.2014. Even in a very recent pronouncement, the Supreme Court has declared the well-settled position of law that a decree passed against a deceased person is a nullity. Hence, all that needs to be done is to declare that the judgment and decree in A.S. No. 19 of 2010, dated 24.03.2014, is a nullity. Since it is a nullity, no second appeal lies against the order. It is open to the legal heirs to file appropriate applications to condone the delay, set aside the abatement, and bring the legal representatives of the deceased on record in A.S. No. 19 of 2010 to prosecute it further.



3. Insofar as this petition is concerned, the same is not maintainable.

Hence, this Civil Miscellaneous Petition is dismissed, and consequently, the

Second Appeal stands rejected.

03-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

The Sub Judge, Ariyalur.



WEB COPY

CMP No. 10033 of 2



V.LAKSHMINARAYANAN, J.

VKR

**CMP No. 10033 of 2022
in SA SR No. 88585 of 2020**

**03-07-2026
(1/2)**