



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CMP Nos. 18772, 18773 & 18794 of 2021

in

S.A.No.1103 of 2000

1. Adhimoolam(deceased)
2. M.Periyammal
3. M.Amudha
4. M.Suganya
5. M.Motsha Rani
6. M.Chandra (minor)

.. Petitioners/Appellants
in all C.M.Ps.

Rep.by her mother and natural
guardian Smt.M.Periyammal

Appellants 2 to 6 are brought on record
as L.R's of the deceased sole appellant
vide Order of Court dated 05.02.2015 made
in CMP.Nos.110 to 113 of 2015 in S.A.No.1103/2000

Vs.

1. Muniyammal
2. Joseph
3. Gnanamuthu (died)
4. Sowri Rajan(died)
5. Arockiam
6. Kannusamy
7. Ramasamy(died)
8. Arokyamary
9. Anthony Samy
- 10.John
- 11.Yesuraj

Respondents 8 to 11 are the legal heirs
of the deceased 3rd respondent

- 12.Mathalai Mary



13.Jeganathan

Respondents 12 & 13 are legal heirs of
the deceased 4th respondent

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14.Lakshmi

15.Kuppu

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

Respondents 14 & 15 are legal heirs of
deceased 7th respondent

Prayer in CMP.No.18772 of 2021: Civil Miscellaneous Petition filed under Section 5 of the Limitation Act, 1963, praying to condone the delay of 1939 days in filing the petition to bring on record the legal representative of the deceased 4th Respondent, viz., Sowri Rajan, in the above Second Appeal.

Prayer in CMP.No.18773 of 2021: Civil Miscellaneous Petition filed under Order XXII Rule 9(2) of the Code of Civil Procedure, 1908, praying to set aside the abatement caused by the death of the 4th respondent, viz., Sowri Rajan, in the above Second Appeal.

Prayer in CMP.No.18794 of 2021 : Civil Miscellaneous Petition filed under Order XXII Rule 4 of the Code of Civil Procedure, 1908, praying to bring on record the respondents 12 & 13 herein, the legal representatives of the deceased 4th respondent viz., Sowri Rajan , in the Second Appeal.

In all Cases

For Petitioners : Ms.S.A.Udayakumari

for Mr.S.Udayakumar



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For Respondents 8 to 11 : Mr.A.Arikrishnan
for Mr.D.Arun

COMMON ORDER

The Civil Miscellaneous Petition in C.M.P.No.18772 of 2021 has been filed under Section 5 of the Limitation Act, praying to condone the delay of 1939 days in filing the application to bring on record the legal representative of the deceased 4th respondent in the above Second Appeal.

2. The Civil Miscellaneous Petition in C.M.P.No.18757 of 2021 has been filed under Order XXII Rule 9(2) of C.P.C, praying to set aside the abatement caused due to the death of 4th Respondent in the above Second Appeal.

3. The Civil Miscellaneous Petition in C.M.P.No.18794 of 2021 has been filed under Order XXII Rule 4 of C.P.C, praying to bring on record the legal representatives of the deceased 4th Respondent, in the above Second Appeal.

4. Notice sent to 12th Respondent viz., Mathalai Mary has been returned with an endorsement “ died”.

5. Ms.S.A.Udayakumari, representing Mr.S.Udayakumar, Counsel on record for the Petitioners and Mr.A.Arikrishnan, representing Mr.D.Arun, Counsel on record for Respondents 8 to 11 are before this Court.



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R.SAKTHIVEL, J.

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6. Mr.A.Arikrishnan, representing Mr.D.Arun, Counsel on record for Respondents 8 to 11 submits that the Counsel on record has filed vakalat on behalf of 13th Respondent.

7. Heard both sides.

8. This Court has perused the affidavit filed in support of these petitions.

9. Reason stated in the affidavit is satisfied. Hence, this Court is inclined to allow these petitions.

10. Accordingly, these Civil Miscellaneous Petitions are allowed.

12-06-2026

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Note: Registry is directed to carry out necessary amendments in the Memorandum of grounds of appeal.

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in
S.A.No.1103 of 2000
(2/4)**