



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CMP Nos. 18777, 18781 & 18785 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.Johnson
- 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.18777 of 2021: Civil Miscellaneous Petition filed under Section 5 of the Limitation Act, 1963, praying to condone the delay of 2627 days in filing the petition to bring on record the legal representative of the deceased 7th Respondent, viz., Ramasamy, in the above Second Appeal.

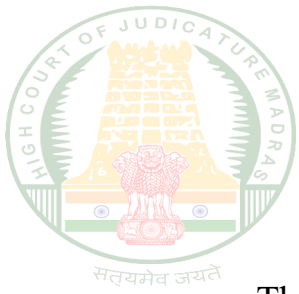
Prayer in CMP.No.18781 of 2021: Civil Miscellaneous Petition filed under Order XXII Rule 9(2) of the Code of Civil Procedure, 1908, praying to set aside the abatement caused due to the death of the 7th respondent, viz., Ramasamy, in the above Second Appeal.

Prayer in CMP.No.18785 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 14 & 15 herein, the legal representatives of the deceased 7th respondent viz., Ramasamy, in the Second Appeal.

In all Cases

For Petitioners : Ms.S.A.Udayakumari

for Mr.S.Udayakumar



COMMON ORDER

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The Civil Miscellaneous Petition in C.M.P.No.18777 of 2021 has been filed under Section 5 of the Limitation Act, praying to condone the delay of 2627 days in filing the application to bring on record the legal representative of the deceased 7th respondent in the above Second Appeal.

2. The Civil Miscellaneous Petition in C.M.P.No.18781 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 7th Respondent in the above Second Appeal.

3. The Civil Miscellaneous Petition in C.M.P.No.18785 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 7th Respondent, in the above Second Appeal.

4. Ms.S.A.Udayakumari representing Mr.S.Udayakumar, Counsel on record for the Petitioners.

5. Notice sent to Respondents 14 & 15 who are the legal heirs of the deceased 7th respondent has been returned with postal endorsement “Unclaimed”. Hence, this Court by invoking the provisions of General Clauses Act, holds that service is sufficient for Respondents 14 & 15.



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CMP No. 18777 of 2



R.SAKTHIVEL, J.

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6. Considering the facts and circumstances of the case and with a view to decide the matter on merits and in the interest of justice, this Court is inclined to allow the petitions.

7. 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.

**CMP Nos. 18777, 18781 & 18785 of 2021
in
S.A.No.1103 of 2000
(3/4)**