



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CMP Nos. 18755, 18757 & 18760 of 2021

IN

SA NO. 1103 OF 2000

1. Adimoolam (died)
2. M.Periyammal
3. M.Amudha
4. M.Suganya
5. M.Motsha Rani
6. M.Chandra (minor)
Rep.by her mother and natural
Guardian Smt.M.Periyammal

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

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. Muniammal
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
deceased 3rd respondent

12. Mathalai Mary
13. Jeganathan

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



14.Lakshmi

15.Kuppu

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

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

Prayer in CMP.No.18755 of 2021: Civil Miscellaneous Petition filed under Section 5 of the Limitation Act, 1963, praying to condone the delay of 3277 days in filing the petition to bring on record the legal representative of the deceased 3rd Respondent, viz., Gnanamuthu, in the above Second Appeal.

Prayer in CMP.No.18757 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 3rd respondent, viz., Gnanamuthu, in the above Second Appeal.

Prayer in CMP.No.18760 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 8 to 11 herein, the legal representatives of the deceased 3rd respondent, viz., Gnanamuthu, in the Second Appeal.

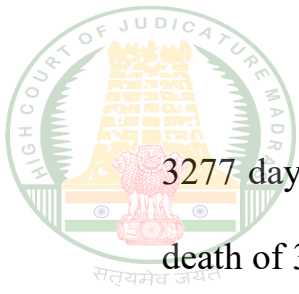
In all Cases

For Petitioners : Ms.S.A.Udayakumari
for Mr.S.Udayakumar

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

COMMON ORDER

The Civil Miscellaneous Petition in C.M.P.No.18755 of 2026 has been filed under Section 5 of the Limitation Act, praying to condone the delay of



3277 days in filing the application to set aside the abatement caused due to the death of 3rd Respondent in the above Second Appeal.

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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 3rd Respondent in the above Second Appeal.

3. The Civil Miscellaneous Petition in C.M.P.No.18760 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 3rd Respondent, in the above Second Appeal.

4. 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 the respondent Nos. 8 to 11 are before this Court.

5. Representing Counsel for the Petitioners submits that the third respondent, Gnanamuthu passed away leaving behind Smt.Arokyamary, Mr.Anthony Samy, Mr.Johnson and Mr.Yesuraj, as his legal heir(s)/legal representative(s).



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R.SAKTHIVEL, J.

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6. This Court has perused the case files.

7. 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.

8. 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. 18755, 18757 & 18760 of 2021
IN
SA NO. 1103 OF 2000
(1/4)**