



CMP NO. 2

IN SA NO. 4 OF 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

**CMP No. 27855 of 2025
in SA No.4 of 2018**

1. Jaya

W/o.Srinivasa Naidu, Garden Site,
Sambalmedu, Thirumoorthi Nagar Post,
Udumalpet Tk, Tiruppur Dist. and 2 Others

2. Kavitha

W/o.Nandhakumar, Pulanginar Mill Gate
Udumalpet, Tiruppur Dist.

3. Chitra

W/o.Nagaraj, Sambalmedu Farm House,
Thirumoorthi Nagar Post, Udumalpet,
Tiruppur Dist.

Appellant(s)

Vs

1. Dhamodharasamy (Deceased)

1. D.Devarajulu, S/o.Dhamotharasamy
Naidu, Durga Nagar, Poolankinar Village,
Udumalpet Tk, Tiruppur Dist 642 112.

2.Radhakrishnan

S/o.Dhamodharasamy Naidu, PAP Vaikkal
Kilapuram, Deepalapatti Post, Dhali-

1/4



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Aniamalai Road, Udumalpet Tk, Tiruppur

Dist 642 207

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Respondent(s)

For Appellant(s): N.Ponraj
E.Shobana

For Respondent(s): Court Notice

M/s S.arjun
J.prithivi For R1
Notice Sent To R2-service Awaited
Reg R2
Pvt. Notice
R-2 RADHAKRISHNAN
S/o.Dhamodharasamy Naidu, PAP
Vaikkal Kilapuram, Deepalapatti
Post, Dhali-Aniamalai Road,
Udumalpet Tk, Tiruppur Dist 642
207
DHAMODHARASAMY
(DECEASED) 1. D.Devarajulu,
S/o.Dhamotharasamy Naidu, Durga
Nagar, Poolankinar Village,
Udumalpet Tk, Tiruppur Dist 642
112.

ORDER

This petition has been filed by the petitioners to condone the delay of 1282 days in filing a petition to set aside the abatement caused due to the death of the first respondent in the above S.A. No.4 of 2018.



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2. According to the petitioners, they are the appellants in the main appeal.

During the pendency of the appeal, the first respondent, Dhamodharasamy died and they are unable to take steps within stipulated time and there is a delay of 1282 days in filing the petition.

3. The other side have not seriously objected.

4. Considering the reasons stated in the affidavit and the number of days in filing the petition to set aside the abatement, this application is allowed and the delay of 1282 in filing the petition to set aside the abatement is hereby condoned.

27.02.2026
(1/3)

mtl



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P. DHANABAL, J.

mtl

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