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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CMP No. 21692 of 2024
IN
SA No. 1385 of 2010

1. Ramasami (died)
   1. Selvam, S/o Ramasami, Res at West Weavers Street, T.Palur, Odayarpalayam Taluk.
2. Elavarasan
   S/o Ramasami, Res at West Weavers Street, T.Palur, Odayarpalayam Taluk.

..Appellant(s)

Vs

1. N.SIVARAMAKRISHNAN,(Died)
   S.Karuppain (Died), Dr. Mathiyalagan(Died), Maniyarasu(Died) 1. Tamilarasu, S/o Karuppian, Mela Street, Karaikkurichi S.O.
2. Bala
   S/o Karuppian, Mela Street, Karaikkurichi S.O.
3. Vasanthi
   W/o Late Maniyarasu, Res at 60/30-B, West Street, Karadikulam, Jayamkondan Post, Ariyalur District.
4. Sivaprakash
   S/o Late Maniyarasu, Res at 60/30-B, West Street, Karadikulam, Jayamkondan Post, Ariyalur District.
5. Viduthalai Priya
   D/o Late Maniyarasu, Res at 60/30-B, West Street, Karadikulam, Jayamkondan Post, Ariyalur District.
6. A.Gandhimathi
   W/o Late Dr. Mathiyalagan, Res at D-33/13A,

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Order QR

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Vellala Street, Jayamkondam, Ariyalur Districe 621802.

7. Arulmadhi Kannan
S/o Late Dr. Mathiyalagan, Res at D-33/13A, Vellala Street, Jayamkondam, Ariyalur Districe 621802.

8. Appumathiroharasan
S/o Late Dr. Mathiyalagan, Res at D-33/13A, Vellala Street, Jayamkondam, Ariyalur Districe 621802.

9. Manimegalai
Res at 70, Panchukarachetti Street, Kuthalam, Mayiladuthurai 609801.

10. Bharathi
Res at 70, Panchukarachetti Street, Kuthalam, Mayiladuthurai 609801.

..Respondent(s)

SA No. 1385 of 2010

1. Ramasami (died)
(1)selvam S/o Ramasami West Weavers Street, T.Palur, Odayarpalayam Taluk.
2. Elavarasan
S/o Ramasami West Weavers Street, T. Palur,odayarpalayam Taluk.

Appellant(s)

Vs

1. N.SIVARAMAKRISHNAN,
S/O MARUTHA PILLAI, PANCHUKARA ST., KUTHALAM, MAYILADUTHURAI TK.
S.KARUPPAIN (DIED)
2. D Mathiyalagan(deceased)
S/o Karuppian Vellala Street, Jayamkondan 621 802.

3. Maniyarasu(deceased)
S/o Karuppian Mela Street, Karaikurichi S.O.612 904.

Respondent(s)

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4. Tamilarasu
   S/o Kauppian Mela Stree T, Karaikurichi S.O
   612

5. Bala
   Mela Street, Kariakurichi.

6. Vasanthi
   W/o.Late Maniyarasu,

7. Sivapraksh
   W/o.Late Maniyarasu, Rr6 To 8 Are Residing
   At 60/30-b, West Street, Karadikulam,
   Jayamkondam Post, Ariyalur District.

8. Viduthalai Priya, D/o.Late
   Maniyarasu, Rr 6 To 8 Brought On Record As
   Lrs Of The Decsd R3 Vide Order Ofct. Dated
   30/01/2018 Made In
   Cmp.No.13169to13171/2016 In Sa.No.1385/10

9. Dr.A.Gandhimathi
   W/o.Late Dr.Mathiyalagan,

10. Dr.M.Arulmadhi Kannan
    S/o.Late Dr.Mathiyalagan, Rr 9 To 11 Are
    Residing At 33/13 A, Vellala Street,
    Jayamkondam, Ariyalur District.

11. Rr 9 To 11 Brought On Record
    As Lrs Of The Deceased R2 Vide Order Of
    Court Dated 30/01/2018 Made In
    Cmp.No.17313/2017 In Sa.No.1385/2010(mdij)

PRAYER IN CMP No. 21692 of 2024: This Civil Miscellaneous Petition is filed under Order XXII Rule (4) of CPC to bring on record the Respondents 9 & 10 herein as LRs of the deceased 1st respondent in the above second appeal and rank them as respondents 12 and 13 in the above second appeal.

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For Appellant(s):Ms.P.Srividhya
For Respondents : Served – No appearance for R9 & R10

ORDER

This Civil Miscellaneous Petition has been filed by the petitioners to bring on record the proposed respondents 9 and 10 who are the legal representatives of the deceased 1st Respondent as respondents 12 and 13 in the main appeal.

2. Other side have not appeared.

3. This Court has already ordered condoned delay and set aside abatement petitions. These proposed parties are the legal representatives of the deceased 1st Respondent.

4. Considering the reasons stated in the affidavit and the facts and circumstances of the case and due to the death of the deceased 1st Respondent, the proposed parties have to be impleaded as proper and necessary parties. Therefore, it is appropriate to allow this Petition.

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5. Accordingly, this Civil Miscellaneous Petition stands allowed.

6. Registry is directed to carry out the necessary amendments in the cause title and list the main appeal on 10.11.2026.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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P.DHANABAL, J.

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