



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

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CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

**CMP No. 17998 of 2025
in SA.No.522 of 2015**

Pachaiyappan(Deceased),

1.Gubendiran

2. Munusamy

.Petitioners

Vs

RANGANATHAN(DIED),

1.Rajendran

2.Mahendiran

3. Ramesh

4. Amutha

5. Ravi

6. Kumari

7. Vijayalakshmi

Kaveri(died)

8.Deepa

9. Prasanth

..Respondents

PRAYER: To set aside the abatement caused due to the death of the deceased sole Appellant/Pachaiappan,

For Petitioners:

R.Karthikeyan

For Respondents:

R1- Died

R2 to R4 - Served, no appearance

R5 – Mr.K.G.Senthilkumar

ORDER

This Civil Miscellaneous Petition is filed by the petitioners to set aside the abatement caused due to the death of the deceased sole Appellant/Pachaiappan,



**P.DHANABAL, J.
GV**

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2. According to these petitioners, the petitioners and the respondents 6 to 9 are the legal heirs of the deceased sole appellant who died during the pendency of the Appeal.

3. The appellant died during the Covid pandemic period and the learned counsel for the petitioners is also unable to contact these petitioners and unable to take steps to set aside the abatement caused due to the death of the deceased sole appellant. Thereafter in the month of June 2024, they came to know about the status of the case through their counsel and therefore there is a delay in filing the petition. The said delay is neither wilful nor wanton. Hence, the learned counsel for the petitioners prays to allow this petition.

4. The other side have not seriously objected to allow this petition.

5. Considering the reasons stated in the affidavit, facts and circumstances of the case and in order to give a fair chance to these petitioners, it is appropriate to allow this petition. Accordingly, this Petition is allowed.

**17-02-2026
(2/3)**

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