



CMP NOS.2631, 2633 AND 2635 OF 2025
IN S.A.NO.414 OF 2004

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2026

CORAM

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP NOS.2631, 2633 AND 2635 OF 2025

IN

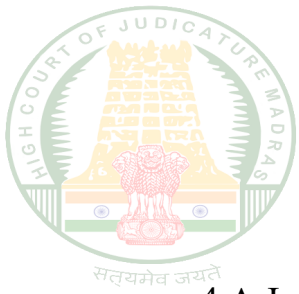
S.A.NO.414 OF 2004

Veeramani Ammal (Died)
W/o. Late Arumugam
Vanapuram Village,
Vanapuram Taluk,
Kallakurichi District – 605 801.

1.Saravanan
S/o. Late Arumugam
Vanapuram Village,
Vanapuram Taluk,
Kallakurichi District – 605 801.

2.S.Lakshmi
W/o. Late Saravanan
C-103, First Street, Anna Nagar,
Ambur, Vellore District.
Tamil Nadu – 635 803.

3.A.Elumalai
S/o. Arumugam
Vanapuram Village,
Vanapuram Taluk,
Kallakurichi District – 605 801.



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4.A.Jayabal
S/o. Late Arumugam
Vanapuram Village,
Vanapuram Taluk,
Kallakurichi District – 605 801.

... Petitioners /
Appellants 1 to 4
in all CMPs'

Versus

Muthusamy Udayar (Died)

1.M.Ramakrishnan
S/o. Muthusamy Udayar
No.57/12, Aganoor road,
(District Munsif Court – Opp.)
Santhapet Post, Thirukoilur Taluk,
Kallakurichi District – 605 757.

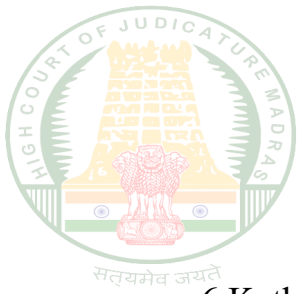
2.Saantha
W/o. Late Natarajan
New Colony, 3rd Street,
Vanapuram Village, Ariyalur Post,
Sankarapuram Taluk,
Kallakurichi District.

3.Velu
S/o. Veerasamy

Panjan (Died)

4.Chandra
S/o. Konganattan

5.Viswanathan
S/o. Konganattan



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6.Kathirmalai
S/o. Konganattan

7.Ramadass
S/o. Konganattan

8.Rangasamy
S/o. Mottaiyan

9.Ayyan
S/o. Mottaiyan

Respondents 2 to 9 are residing at
Vanapuram Village, Ariyalur Post,
Sankarapuram Taluk,
Kallakurichi District.
Pincode – 605 801.

... Respondents 1-9
in all CMPs'

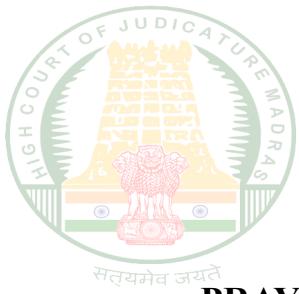
10.Ramalingam
S/o. Late Panjan

11.Kasi
S/o. Late Panjan

12.Selvi
D/o. Late Panjan

Respondents 10 to 12 are residing at
Door No.420, Pagandai Koot Road,
Vanapuram Village / Town,
Vanapuram Taluk,
Kallakurichi District.

... Respondents 10-12 /
Proposed Respondents 12-14
in all CMPs'



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PRAYER IN CMP NO.2631 / 2025: Civil Miscellaneous Petition filed under Section 5 of Limitation Act, 1963, praying to condone the delay of 74 days in filing this petition to set aside the abatement caused due to the death of the fifth respondent namely A.Panjan in S.A.No.414 of 2004.

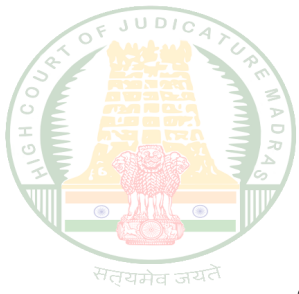
PRAYER IN CMP NO.2633 / 2025: Civil Miscellaneous Petition filed under Order XXII Rule 9 of the Code of Civil Procedure, 1908, praying to set aside the abatement caused by the death of the fifth respondent namely A.Panjan in S.A.No.414 of 2004.

PRAYER IN CMP NO.2635 / 2025: Civil Miscellaneous Petition filed under Section Order XXII Rule 4 of the Code of Civil Procedure, 1908, praying to bring on record the proposed respondents 10 to 12 herein as the legal heirs of the deceased fifth respondent namely A.Panjan as respondents 12 to 14 in S.A.No.414 of 2004.

For Petitioners : Ms.R.Hemalatha
in all CMPs' for Ms.S.Sasikala

COMMON ORDER

The Civil Miscellaneous Petition in CMP No.2631 of 2025 has been filed under Section 5 of Limitation Act, 1963, praying to condone the delay of 74 days in filing this petition to set aside the abatement caused due to the death of the fifth respondent namely A.Panjan in S.A.No.414 of 2004.



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2.The Civil Miscellaneous Petition in CMP No.2633 of 2025 has been filed under Order XXII Rule 9 of the Code of Civil Procedure, 1908, praying to set aside the abatement caused by the death of the fifth respondent namely A.Panjan in S.A.No.414 of 2004.

3.The Civil Miscellaneous Petition in CMP No.2635 of 2025 has been filed under Order XXII Rule 4 of the Code of Civil Procedure, 1908, praying to bring on record the proposed respondents 10 to 12 herein as the legal heirs of the deceased fifth respondent namely A.Panjan as respondents 12 to 14 in S.A.No.414 of 2004.

4.This Court has perused the case file.

5.Having satisfied with the reasons stated in the accompanying affidavits,

(i) the petition in CMP No.2631 of 2025 is allowed and the delay of 74 days in seeking to set aside the abatement caused due to the death of the fifth respondent in the above Second Appeal is condoned;



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(ii) the petition in CMP No.2633 of 2025 is allowed and the abatement caused due to the death of the deceased fifth respondent is set aside; and

(iii) the petition in CMP No.2635 of 2025 is allowed and legal representatives of the deceased fifth respondent as stated in the accompanying affidavit in CMP No.2635 of 2025 are brought on record.

6.Registry is directed to carry out necessary amendment in the cause title in the Memorandum of Grounds of Appeal and list the Second Appeal on 02.06.2026.

22.04.2026

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R.SAKTHIVEL, J.

TK

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22.04.2026

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