



WEB COPY



CMP Nos. 23122, 23129 & 23131 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2026

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CMP Nos. 23122, 23129 & 23131 of 2023

in

S.A.No. 993 of 2004

- 1.Jagarabi (Died)
- 2.Bibijohn (Died)
- 3.Halimabi
- 4.Balkis Banu (Died)
- 5.Mohammed Ahamed
- 6.Mohammed Yusuf
- 7.Abdul Aziz
- 8.Abdul Kalam
- 9.Haseena
- 10.Raziabegum (Died)
- 11.Faridabegum
- 12.Irfan
- 13.Eliyas
- 14.Farzhana

...Petitioners/Appellants 1 to 14

- 15.Syed Daffiq
- 16.Najima

...Petitioners/Proposed Appellants 15&16
[in all three petitions]

Versus

- 1.V.A. Mohamed Yusuf (Died)
- 2.V.A.Mohamed Ibrahim (Died)
- 3.Fathima Beevi
- 4.Mohamed Asik
- 5.Mohamed Ghouse
- 6.Salia Beevi
- 7.Abdul Wahab
- 8.Sadiq

...Respondents

...Respondents/
Proposed Respondents
[in all three petitions]



Prayers:

CMP.No. 23122 of 2023: is filed under Section 5 of the Limitation Act, praying to condone the delay of 432 days seeking to set aside the abatement caused by the death of the 2nd respondent in the above second appeal.

CMP.No. 23129 of 2023: is 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 2nd respondent in the above second appeal.

CMP.No. 23131 of 2023: is filed under Order XXII Rule 4 of the Code of Civil Procedure, 1908, praying to bring on record the respondents 6 to 8 herein who are the legal representatives of the deceased 2nd Respondent in the second appeal as Respondents 6 to 8.

For Petitioners : Mrs.Nilaphar
For Mrs.R.Meenal

COMMON ORDER

Mrs.Nilaphar, representing Mrs.R.Meenal, learned Counsel on record for the petitioners is before this Court.

2.Heard the learned Counsel appearing for the petitioners.

3.Upon being satisfied with the reasons stated in the affidavit filed in support of these petitions, these petitions are ordered accordingly.

4.The appellants shall file a proper batta memo to the newly impleaded respondents within five working days from today.

05.03.2026

1/3

MSM

Note: Registry is directed to carry out necessary amendment in the main second appeal. 2.List the matter on **16.03.2026.**



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R.SAKTHIVEL, J

MSM

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