Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CMP No. 22397 of 2026
IN
SA NO. 333 OF 2011

Arulmigu Nageswara Swamy
and Varadaraja Perumal Temples,
Kondalam,
Rep by its Fit Person,
Executive Officer.

..Petitioner

Vs

1. Ganapathy
   S/o. Late. Muthusamy Gounder,
   Purathipalayam,
   Kolathupalayam Village,
   Erode Taluk.
2. Chinnasamy
   S/o. Late. Muthusamy Gounder,
   Purathipalayam,
   Kolathupalayam Village,
   Erode Taluk.

3. Kandasamy
   (Deceased)

4. Paramasivam
   S/o. Late. Chinnasamy Gounder,
   Karattur,
   Kolathupalayam Village,
   Erode Taluk.
   Karuppanna Gounder (died)
   Periyammal (died)

5. K. Balasubramanian
   S/o. Late. Karuppanna Gounder,
   Kuthagaitharar House,
   Karattur,

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Unjalur Post,
Erode Taluk.
Padmavathy (died)

6. Menaka
W/o. Thangavel,
Kuthagaitharar House,
Karattur,
Unjalur Post,
Erode Dt.

7. Sivakumar
S/o. S. Sadasivam,
R.K. Pudur,
Passur Post,
Erode Dt.

8. Sasikala
W/o. Elango,
R.K. Pudur,
Passur Post,
Erode Taluk.

9. K. Vivekandan
No.40, Karatur,
Kolathapalayam (B) Village,
Kodumudi Taluk,
Erode.

..Respondent(s)

SA No. 333 of 2011

ARULMIGU NAGESWARA SWAMY &
Varadaraja Perumal Temples, Kondalam Rep.By
Its Fit Person, Executive Officer

Appellant(s)

Vs

1. GANAPATHY
S/O LATE MUTUSAMY GOUNDER,
PURATHIPALAYAM
KOLALTHUPALAYAM VILLAGE, ERODE
TALUK
2. Chinnasamy

Respondent(s)

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S/o Late Muthusamy Gouner, Purathipalayam
Kolathurpalayam Village, Erode Taluk

3. Kandasamy
S/o Late Chinnasamy Gounder, Karattur
Kolathupalayam Village, Erode Taluk

4. Paramasivam
S/olate Chinnasamy Gounder, Karatur
Kolathurpalayam Village, Erode Taluk
Karuppanna Gounder Died Periyammal Died

5. K. Balasubramnaian
S/o Late Karuppanna Gounder,
Kuthagaitharar House, Karattur, Unjalur
Post, Erode Taluk Padmavathy Died

6. Menaka
W/o Thangavel Kuthagaitharar House ,
Karattur Unjalur Post, Erode Taluk

7. Sivakumar
S/o. S. Sadasivam R.K. Pudur, Passur Post ,
Erode Taluk

8. Sasikala
W/o Elango R;k. Pudur, Passur Post, Erode
Taluk.

PRAYER IN CMP No. 22397 of 2026: This Civil Miscellaneous Petition is filed under Section 5 of the Indian Limitation Act to pass an order of condoning the delay of 83 days in filing the petition for setting aside the abatement of proceedings in SA.No.333 of 2011 caused due to the death of deceased 3rd Respondent and pass such further or other order/orders in the facts and circumstances of the case and thus render justice.

For ..Petitioner:Mr.K. Ashok Kumar

For Respondents: Mr.K.Karthikeyan

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P.DHANABAL, J.

GV

ORDER

This Civil Miscellaneous Petition is filed by the petitioner to condone the delay of 83 days in filing the petition to set aside the abatement caused due to the death of the 3rd respondent in the above Second Appeal.

2. Other side have not seriously objected for allowing this petition.

3. Considering the reasons stated in the affidavit and the number of days in delay and in order to give a fair chance to the petitioner, it is appropriate to allow this petition.

4. Accordingly, this Civil Miscellaneous Petition stands allowed.

29-10-2026
(4/6)

Index: Yes/No
Neutral Citation: Yes/No
GV

CMP No. 22397 of 2026
IN SA NO. 333 OF 2011

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