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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. 22479 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 Mutusamy Gounder, Purathipalayam,
   Kolalthupalayam Village,
   Erode Taluk.
2. Chinnasamy
   S/o Late Muthusamy Gouner, Purathipalayam
   Kolathurpalayam Village, Erode Taluk

3. Kandasamy
   (Deceased)

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

5. K. Balasubramnaian
   (Deceased)

   Padmavathy (Died)

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

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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.

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

10. Thilagavathi
    No.42, Karatur,
    Kolathapalayam (B) Village,
    Kodumudi Taluk,
    Erode.

11. Saranya
    No.42, Karatur,
    Kolathapalayam (B) Village,
    Kodumudi Taluk,
    Erode.

12. Amrutha
    No.42, 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

Respondent(s)

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S/O LATE MUTUSAMY GOUNDER,
PURATHIPALAYAM
KOLALTHUPALAYAM VILLAGE, ERODE TALUK

2. Chinnasamy
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.22479 of 2026: This Civil Miscellaneous Petition is filed under order XXII Rule 9 (2) of CPC to pass an order of setting aside the abatement of proceedings in S.A.No. 333 of 2011 caused due to the death of the deceased 5th respondent and pass such further or other order.

For Petitioner: Mr.K.Ashok Kumar
For Respondent(s): Mr.K.Karthikeyan

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P.DHANABAL, J.
GV

ORDER

This Civil Miscellaneous Petition has been filed by the petitioner to set aside the abatement caused due to the death of the deceased 5th Respondent in the above S.A.No.333 of 2011.

2. The other side have not seriously objected for allowing this petition.

3. Considering the reasons stated in the affidavit filed in support of this petition and this court has already allowed the condone delay petition 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
(2/6)

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

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CMP No. 22479 of 2026
IN SA No. 333 of 2011

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