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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CMP No. 25087 of 2026
in SA.No.517 of 2010

1. Easwaran
   S/o.Sivasubramaniam,
   Pappankulam Post Madathukulam Tk Tiruppur
   Dist.
2. Saraswathi
   W/O. Easwaran Pappankulam Post
   Madathukulam Tk Tiruppur Dist.

..Petitioners

Vs

1. Kamalam
   (died)
2. S.Jayalakshmi
   (died)

3. JS Raju
   S/O. Late, Balasubramaniam
   Door No 2 Kavirayar Lane Udumalpet Town
   Coimbatore Dist.

4. Minor S.Manikandan
   S/O. Late, Balasubramaniam
   Door No 2 Kavirayar Lane Udumalpet Town
   Coimbatore Dist.

   Rep by natural guardian and mother
   S.Jayalakshmi

5. Savithri
   (Died)

6. P.Jayalakshmi
   W/O. Pasupathi Door No 44-A Ansari Street
   Udumalpet Town.

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7. Kulandaivelu
   S/O. Palanisamy Gounder Pappankulam
   Udumalpet Tk.

8. Muthusamy Gounder
   S/O. Kuppanna Gounder Pappankulam
   Udumalpet Tk.

9. Ramanujam
   S/O. Krishnasamy Iyengar,
   Pappankulam Udumalpet Tk.

10. Karuppusamy
    S/O. Sinnasamy Gounder Pappankulam
    Udumalpet Tk.

11. Shanmugavel
    Door No.44, Ansari Street,
    Udumalpet town and TK,
    Tiruppur District

12. Sujatha
    Door No.44, Ansari Street,
    Udumalpet town and TK,
    Tiruppur District

13. Senthilkumar
    Door No.44, Ansari Street,
    Udumalpet town and TK,
    Tiruppur District

..Respondent(s)

PRAYER in CMP No. 25087 of 2026: This Civil Miscellaneous Petition is filed under Section 5 of the Indian Limitation Act to condone the delay of 2630 in seeking to set aside the abatement caused due to the death of the 1st Respondent Kamalam in SA.No.517 of 2010.

For Petitioners: Mr.R.Arunmozhi Devan
for Mr. G.RM Palaniappan
For Respondent(s): R11 to R13 – Served – No appearance

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ORDER

This Civil Miscellaneous Petition is filed by the petitioners to condone the delay of 2630 days in filing the petition to set aside the abatement caused due to the death of the 1st respondent in the above Second Appeal.

2. Though notice served to the respondents including the proposed respondents, none appeared.

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

4. Accordingly, this Civil Miscellaneous Petition stands allowed.

28-10-2026
(1/3)

GV

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P.DHANABAL, J.

GV

CMP No. 25087 of 2026
in SA.No.517 of 2010

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(1/3)

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To

1. Kamalam
   (died)
2. S.Jayalakshmi
   (died)

3. JS Raju
   S/O. Late, Balasubramaniam
   Door No 2 Kavirayar Lane Udumalpet Town
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