Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CMP No. 25089 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.

..Appellant(s)

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

https://www.mhc.tn.gov.in/judis

WEB COPY

Udumalpet Town.

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)

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.

Appellant(s)

https://www.mhc.tn.gov.in/judis

WEB COPY

Vs

1. KAMALAM W/O. SHANMUGAVELU
   DOOR NO 44 ANSARI STREET UDUMALPET TOWN TIRUPPUR DIST. (KOKILAMMAL DIED)
   BALASUBRAMANIAM DIED).
2. S. Jayalakshmi
   W/o. Late Balasubramaniam Door No
   2 Kavirayar Lane Udumalpet Town
   Coimbatore Dist.

3. Js Raju S/o. Late
   Balasubramaniam Door No 2 Kavirayar Lane Udumalpet Town
   Coimbatore Dist.

4. Minor S Manikandan
   Rep By Mother S. Jayalakshmi Door No 2 Kavirayar Lane Udumalpet Town Coimbatore Dist.

5. Savithri
   D/o. Late Raju Chettiar Door No 2 Kavirayar Lane Udumalpet Town
   Coimbatore Dist

6. P Jayalakshmi
   W/o. Pasupathi Door No 44-a Ansari Street Udumalpet Town.

7. Kulandivelu
   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. ..Respondents

PRAYER IN CMP.No.25089 of 2026: This Civil Miscellaneous Petition is filed under order XXII Rule 9 (2) of CPC to set aside the abatement caused due to the death of the 1st Respondent Kamalam in SA.No.517 of 2010.

https://www.mhc.tn.gov.in/judis

WEB COPY

Order QR

P.DHANABAL, J.
GV

For Appellant(s): Mr.R.Arunmozhi Devan
for Mr. G.RM Palaniappan

For Respondent(s): R11 to R13 - Served - No appearance

ORDER

This Civil Miscellaneous Petition has been filed by the petitioners to set aside the abatement caused due to the death of the deceased 1st Respondent in the above S.A.No.517 of 2010.

2. The other side have not filed any counter.

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 petitioners, it is appropriate to allow this petition.

4. Accordingly, this Civil Miscellaneous Petition stands allowed.

28-10-2026

GV **(2/3)**

CMP No. 25089 of 2026
IN SA NO. 517 of 2010

https://www.mhc.tn.gov.in/judis

WEB COPY

https://www.mhc.tn.gov.in/judis

WEB COPY

https://www.mhc.tn.gov.in/judis

WEB COPY

https://www.mhc.tn.gov.in/judis

WEB COPY

https://www.mhc.tn.gov.in/judis