



WEB COPY

CMP No. 23047 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

**CMP No. 23047 of 2025 in
S.A.No.624 of 2015**

Santha (Died)
N. Marimuthu
S/o. Nagappan and Santha,
No.3/11, Gangai Amman Koil Street,
Vettuvenkeni, Chennai - 600 041.

..Petitioner

Vs

1. Chakrapani
S/o. Chithirai, ECR Opp. to Sai Baba Temple,
Injambakkam, Chennai - 600 115.
2. Shankar
S/o. Murugan, ECR Opp. to Sai Baba Temple,
Injambakkam, Chennai - 600 115.
3. Palani
S/o. Mariappam, ECR Opp. to Sai Baba
Temple, Injambakkam, Chennai - 600 115.
4. Ezhumalai
S/o. Veerasaami, Ponnamman Kovil Street,
Injambakkam, Chennai - 600 115.

..Respondent(s)

Prayer: Petition filed under Section 5 of the Limitation Act to condone the delay of 98 days in filing the petition to set aside the abatement in this Second Appeal



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For Petitioner:

Mr.G.Thyagarajan

For Respondents:

Mr.S.Mohamed Uduman

ORDER

This petition has been filed by the petitioner to condone the delay of 98 days in filing the petition to set aside the abatement caused due to the death of the appellant, Santha in the Second Appeal.

2. Heard the learned counsel appearing for the petitioner. The learned counsel appearing for the respondents has no serious objection to allow the present petition.

3. yConsidering the reasons stated in the affidavit filed in support of the petition and the number of days delay and in order to give a fair chance to the petitioner, this petition is allowed.

05-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ssd



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P.DHANABAL, J.

ssd

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