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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CMP No. 27178 of 2026
IN
REV.APPL NO. 85 OF 2022

N.Gajendran
S/o. S. Narayanasamy,
No.1/4, Bajanai Koil St,
Salamangalam Village,
Padappai Post,
Sriperumbudur Tk,
Kancheepuram Dt.

..Petitioner

Vs

1. S.Narayanasamy
   S/o. Chakarapani Naicker,
   Nerkunapattu Village and Post,
   Cheyyur Tk,
   Kancheepuram Dt.
2. Tambiran Naicker
   Died

3. D.Manivelu
   S/o. Duraisamy,
   Salamangalam Village,
   Padappai Post,
   Sriperumbudur Tk,
   Kancheepuram Dt.

4. D.Kandhan
   S/o. Duraisamy,
   Salamangalam Village,
   Padappai Post,
   Sriperumbudur Tk,
   Kancheepuram Dt.

5. D.Khandhan
   S/o. Duraisamy,

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Salamangalam Village,
Padappai Post,
Sriperumbudur Tk,
Kancheepuram Dt.

6. K.Adhilakshmi
D/o. Late Tambiran Naicker,
Res. at Thideel Nagaram,
Salamangalam Village,
Padappai Post,
Sriperumbudur Taluk,
Kancheepuram District.

7. T.Raja
S/o. Late Tambiran Naicker,
Res. at Thideel Nagaram,
Salamangalam Village,
Padappai Post,
Sriperumbudur Taluk,
Kancheepuram District.

8. T.Durairaj
D/o. Late Tambiran Naicker,
Res. at Thideel Nagaram,
Salamangalam Village,
Padappai Post,
Sriperumbudur Taluk,
Kancheepuram District.

9. S.Kumari
D/o. Late T.Sekar
Res. at Thideel Nagaram,
Salamangalam Village,
Padappai Post,
Sriperumbudur Taluk,
Kancheepuram District.

10. B.Mahalakshmi
D/o. Late T.Sekar
Res. at Thideel Nagaram,
Salamangalam Village,
Padappai Post,
Sriperumbudur Taluk,

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Kancheepuram District.

11.S.Vijay
S/o. Late T.Sekar
Res. at Thideel Nagaram,
Salamangalam Village,
Padappai Post,
Sriperumbudur Taluk,
Kancheepuram District.

..Respondent(s)

REV.APPL No. 85 of 2022

1. S. Narayanasamy(Died)
   S/o. Chakarapani Naicker, Nerkunapattu
   Village and Post, Cheyyur Tk, kancheepuram
   Dt.
2. N. Gajendran
   S/o. S. Narayanasamy, No.1/4, Bajanai Koil St,
   Salamangalam Village, Padappai Post,
   Sriperumbudur Tk, Kancheepuram Dt.

3. Hari Krishnan
   S/o. Late Narayana samy,
   Main Road,
   Nerkunappattu,
   Kancheepuram 603 305

4. Adhilakshmi Baskaran
   D/o Late Narayana Samy
   No.1/249-B,
   Anna Nagar,
   1st St, Padappai
   Kancheepuram 601 301

5. S.Sumathi
   D/o Late Narayana Samy
   No.6, Kandasamy Lane
   Royapettah, Chennai 600 014

6. S.Chitra
   D/o Late Narayana Samy
   No.86, Anna Nagar, Appellant(s)

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Pudupattinam
Kancheepuram 603 102
A3 to 6 are brought on record as legal heirs of
the deceased 1st appellant vide court order
dated 03/11/2026 made in
cmp.nos.27721,27724 and 27726 of 2026 in
REV.APPL.No.85 of 2022(PDBJ)

Vs

1. Thambiran Naicker
   S/o. Murugesa Naicker, Thideel Nagaram,
   Salamangalam Village, Padappai Post,
   Sriperumbudur Tk, Kancheepuram Dt.
2. D. Rajamani
   S/o. Duraisamy, Salamangalam Village,
   Padappai Post, Sriperumbudur Tk,
   Kancheepuram Dt.

3. D. Manivelu
   S/o. Duraisamy, Salamangalam Village,
   Padappai Post, Sriperumbudur Tk,
   Kancheepuram Dt.

4. D. Kandhan
   S/o. Duraisamy, Salamangalam Village,
   Padappai Post, Sriperumbudur Tk,
   Kancheepuram Dt.

5. S. Baskar
   S/o. Sambantha Naicker, 249/1, 1 st Street,
   Anna Nagar, Padappai Post, Sripeumbudur Tk,
   Kancheepuram Dt.

Respondent(s)

PRAYER in CMP No. 27178 of 2026: This Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act to condone the delay of 1502 days in filing the Petition to set aside the abatement caused due to the death of the First Respondent Thambiran Naicker in Review Petition No. 85 of 2022.

PRAYER IN REV.APPL No. 85 of 2022: To review the Judgment dated

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28.04.2018 in SA.No.119 of 2014 and pass such further or other orders as deemed fit and proper in the circumstances of the case and thus render justice.

For Petitioners: Mr.M.Uma Shankar

For Respondent(s): R1 & R2 -Died
Mr.T. Sundaravadanam for R3 to R5
Mr.S. Sathish Kumar for R5

ORDER

This Civil Miscellaneous Petition has been filed by the petitioners to condone the delay of 1502 days in filing the petition to set aside the abatement caused due to the death of the 1st Respondent in the above Review Petition.

2. Other side appeared through their learned counsel and they have not seriously objected for allowing this petition.

3. Considering the reasons stated in the affidavit filed in support of this petition and the number of days in delay 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.

18-11-2026

GV **(¼)**

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P.DHANABAL, J.

GV

CMP No. 27178 of 2026
IN
REV.APPL NO. 85 OF 2022

18-11-2026
(1/4)

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