



CMP(MD) NO. 3116 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-03-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

**CMP(MD) NO. 3116 of 2026, CMP(MD) NO. 3125 OF
2026, SA(MD) NO. 392 OF 2023, CMP(MD) NO. 3118 OF
2026, CMP(MD) NO. 3124 OF 2026, CMP(MD) NO. 3119 OF
2026, CMP(MD) NO. 3121 OF 2026
IN SA(MD) No. 392 of 2023**

1. T. Balasubramanian
S/o.K.M.Thangachamy Nadar
Door No.5/455
Sethu Nagar
Karan Village
Ramanathapuram Taluk
Ramanathapuram District.

Petitioner(s)

Vs

1. Sethu Nagar Nadar Uravinmurai Sangam
Rep. by its President
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

2. R.Palanikumar
Son of Ramachandran
Door No. 5/466
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

3. P. Selvam
Deceased



4. T. Aathilingam
Deceased

5. T. Chellamuthu
Wife of Late Selvam
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

6. Thirukumaran
Son of Late P.Selvam
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

7. Azhagunathan
Son of Late P.Selvam
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

8. Muniyaraj
Son of Late P.Selvam
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

9. Palaninathan
Son of Late P.Selvam
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

10. Ramalatchumi
Daughter of Late P.Selvam
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

11. Maheswari
Daughter of Late P. Selvam
Muthupettai Post



Ramanathapuram Taluk
Ramanathapuram District.

12. Sanmugavalli
Wife of Late T.Aathilingam
Door No.5/450
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

13. Madaselvi
Daughter of Late T.Aathilingam
Door No.5/450
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

14. Suyamburajan
Son of Late T.Aathilingam
Door No.5/450
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

15. Sathiyasivam
Son of Late T.Aathilingam
Door No.5/450
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

16. Tamil Selvan
Son of Late T.Aathilingam
Door No.5/450
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17. Mohan Kumar
Son of Late T.Aathilingam
Door No.5/450
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

18. Kanagaraj
Son of Late T.Aathilingam
Door No.5/450
Sethu Nagar Village
Muthupettai Post
Ramanathapuram Taluk
Ramanathapuram District.

Respondent(s)

For Petitioner(s):

S.Vellaichamy
V.V. Sathya

For Respondent(s):

Common Prayer in CMP(MD)Nos.3116, 3118 & 3119/26:

To condone the delay of 434 days in setting aside the abatement, to set aside abatement caused due the death of 3rd respondent and to bring on record the respondents 5 to 11 as legal heirs of deceased third respondent in the above second appeal and rank them as respondents 5 to 11 and thus render justice.

Common Prayer in CMP(MD)Nos.3121, 3124 & 3125/26:

To condone the delay of 536 days in setting aside the abatement, to set aside abatement caused due the death of 4th respondent and to bring on record the respondents 12 to 18 as legal heirs of deceased fourth respondent in the above second appeal and rank them as respondents 12 to 18 and thus render justice.



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COMMON ORDER

Heard the learned Counsel for the petitioner. Learned Counsel would bring to my notice that the petitioner / appellant intended to withdraw the Second Appeal with liberty to file a fresh comprehensive suit in C.M.P. (MD)No.18930 of 2025. Pending the said application, the death of the third and fourth respondents were brought to the notice of the appellant. Hence, C.M.P.(MD)Nos.3116, 3118 & 3119 of 2026 [relating to third respondent] and C.M.P.(MD)Nos.3121, 3124 & 3125 of 2026 [relating to fourth respondent] have been taken out for condonation of delay of 434 days and 536 days respectively, in setting aside the abatement caused due to the death of the third and fourth respondent respectively; for setting aside the abatement caused due to the death of the third and fourth respondents respectively and to implead the legal representatives of the third and fourth respondents respectively.

2.Though the learned Counsel who is appearing for the respondents 3 and 4 undertook to enter appearance for the legal heirs as well, today, there is no representation.

3.I do not see any serious objection being caused to the proposed legal heirs, if these applications are ordered. They will any how have an



opportunity to contest the Second Appeal as well as C.M.P.(MD)No.18930 of 2025.

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4. Accordingly, these Civil Miscellaneous Petitions are ordered.

5. Learned Counsel for the petitioner seeks a short accommodation to take out necessary application to implead necessary legal heirs in C.M.P. (MD)No.18930 of 2025.

6. Call on **06.04.2026**.

MR

23-03-2026



To

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