



CMP (MD).Nos.3867 to 3869 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

**CMP (MD).Nos.3867 to 3869 of 2026
in
SA (MD) No.702 of 2008**

1.Subbaiah Nadar (Died)
2.S.Paulkumar
3.S.Paulmurugan
4.R.Packiya Lakshmi
5.S.Balaganesh
6.S.Paulselvam

: Petitioners 2 to 6
/Proposed Appellants 2 to 6
(in all petitions)

Vs.

1.Balakrishnan
2.M.P.Muthukumar (died)
3.P.Shanmugavel
4.Murugesan
5.Muthuraj
6.Petchimuthu
7.Parvathinathan
8.M.Muthammal
9.M.Vijay Murugan
10.M.Swathinath

: Respondents 8 to 10
(in all petitions)

Prayer in CMP (MD) No.3867 of 2026: To condone the delay of 244 days in filing the above applications to set aside the abatement caused



CMP (MD).Nos.3867 to 3869 of 2026

due to death of sole appellant viz., Subbaiah Nadar in the Second Appeal.

Prayer in CMP (MD) No.3868 of 2026: To set aside the abatement caused due to death of sole appellant viz., Subbaiah Nadar in the Second Appeal.

Prayer in CMP (MD) No.3869 of 2026: To bring on record the petitioners 2 to 6 herein as legal representatives of deceased sole appellant viz., Subbaiah Nadar and rank them as appellants 2 to 6 in the Second Appeal in SA (MD) Nos.702 of 2008.

For Appellants : Mr.M.P.Senthil

Common Order

These petitions have been filed to condone the delay of 244 days in filing the above applications to set aside the abatement caused due to the death of the sole appellant viz., Subbaiah Nadar in the Second Appeal and to bring on record the petitioners 2 to 6 herein as legal representatives of deceased and to rank them as appellants 2 to 6 in the main Second Appeal.

2. The respondents 1, 3 and 4 are represented by counsel. The names of the respondents 5 and 6 have been printed in the cause list.



CMP (MD).Nos.3867 to 3869 of 2026

Insofar as respondents 7 to 10 are concerned, the appeal has already been dismissed on 26.04.2024.

3. Considering the reasons assigned in the affidavits filed in support of these petitions, these petitions are allowed.

4. Registry is directed to carryout necessary amendments in the cause title. Post the second appeal for final hearing on 05.06.2026. It is made clear that no further adjournment will be granted in this case.

30.04.2026

Index : Yes/No

Internet : Yes/No

PKN



WEB COPY



CMP (MD).Nos.3867 to 3869 of 2026

N.ANAND VENKATESH, J

PKN

Judgment made in
CMP (MD).Nos.3867 to 3869 of 2026

Dated:30.04.2026