



CMP(MD) NOS. 4054 to 4056 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16-06-2026**

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NOS. 4054 to 4056 of 2026

in

SA(MD) NO. 332 of 2011

V.Krishnasamy

Petitioner(s) in all petitions

Vs

1.Ayyasamy Konar (Died)

2.Ponram

3.Arumugam

4.Dandapandi

5.Chellammal

6.Sarasu

7.Sakthivel

8.Ramar

9.Lakshmanan

Respondent(s) in all petitions

For Petitioner(s) in all petitions :

Mr.G.Gomathisankar,
Advocate



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For Respondent(s) in all petitions :

Mr.J.Alaguram Jothi,
Advocate for R5 to R9

R2 & R3 – No Appearance

R4 – Dismissed (vide order dated 05.08.2025)

R1 – Died

Common Prayer : Civil Miscellaneous Petitions are filed under Section 5 of Limitation Act, Order XXII Rule 9(2) and Order XXII Rule 4 of the Code of Civil Procedure, seeking to condone the delay of 1228 days in filing the petition to set aside the abatement caused due to death of the 1st respondent, to set aside the abatement caused due to the death of the 1st respondent, and to bring on record respondents 5 to 9 as the legal heirs of the deceased 1st respondent and rank them as respondents 5 to 9 in the Second Appeal in S.A.(MD)No.332 of 2011 before this Court.

COMMON ORDER

These Civil Miscellaneous Petitions have been filed to condone the delay of 1228 days in filing the petition to set aside the abatement caused due to death of the 1st respondent, to set aside the abatement caused due to the death of the 1st respondent, and to bring on record respondents 5 to 9 as the legal heirs of the deceased 1st respondent and rank them as respondents 5 to 9 in the Second Appeal in S.A.(MD)No.332 of 2011 before this Court.



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2. Heard the learned counsel appearing on either side and perused the common affidavit filed in support of these petitions.

3. The learned counsel for respondents 5 to 9 has filed a memo stating that the petitioner/appellant is very much alive. The said memo is recorded.

4. Further, the learned counsel for respondents 5 to 9 has not raised any objections to allow these petitions.

5. Being satisfied with the reasons stated in the affidavit, these Civil Miscellaneous Petitions are allowed.

16-06-2026

Note : *The Registry is directed to carry out necessary amendments in the appeal memorandum.*

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P.VADAMALAI, J.

mkkn

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