



CMP(MD). No.17121 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 02/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P.B. BALAJI

CMP(MD). Nos.17121 and 17122 of 2024 in
SA(MD).Sr.No.19845 of 2020

A.Selvaraj

... Petitioner

Vs

1. Rajappa (Died)
2. Karathe Kannaian
3. Mathiyalagan,,
4. Sathaiah,,
5. Vijayalakshmi,
6. Krishnaveni,
7. Karthick,
8. Vinoth

... Respondents

PRAYER :-

To set aside the abatement caused by death of 1st respondent in the CMP(MD).No.8571 of 2023 in S.A.SR.No.19845 of 2020 and to bring on record the proposed respondent herein as Legal heirs of the deceased first respondent.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.R. Suriya Narayanan

ORDER

Heard.



CMP(MD). No.17121 of 2024

2. The learned counsel who undertook to appear for the proposed respondents says that he is yet to receive Vakalat from the proposed respondents.

3. On going through the affidavit filed in support of the petitions for setting aside the abatement caused due to the death of the first respondent and to bring on record the proposed respondents as legal heirs of the deceased first respondent, I am satisfied that the petitions are necessarily to be allowed, as the cause of action survives, and no serious prejudice would be caused if they were served in the Second Appeal after being impleaded as respondents. In the meantime, it shall be open to the counsel to enter appearance on behalf of the respondents 5 to 8.

4. Accordingly, these petitions are allowed. Registry is directed to carry out the necessary amendments in the cause title.

02.04.2026

trp