



CMP(MD) NOS. 17857, 17858, & 17860 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24-04-2026**

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NOS. 17857, 17858, and 17860 of 2024

in

AS(MD) NO. 169 of 2024

N.Mani

Petitioner(s) in all petitions

Vs

1.N.Valliammal

2.N.Esakki (Died)

3.E.Essakiammal

4.E.Sankar

5.E.Suresh

Respondent(s) in all petitions

For Petitioner(s) in all petitions :

Mr.T.Selvan,
Advocate

For Respondent(s) in all petitions :

Mr.K.Esakkidurai,
Advocate for R1

Mr.K.Jeyamohan,
Advocate for R3 to R5



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Common Prayer : Civil Miscellaneous Petitions are filed under Section 5 of Limitation Act, Order XXII Rule 9(2), and Order XXII Rule 4 of CPC to condone the delay of 394 days in filing the petition to set aside the abatement caused due to the death of 2nd respondent, to set aside the abatement caused due to the death of the 2nd respondent, and to bring on record respondent Nos.3 to 5 as the legal representatives of the deceased 2nd respondent and rank them as respondent Nos.3 to 5 in the Appeal Suit in A.S.(MD)No.169 of 2024 on the file of this Court.

COMMON ORDER

These Civil Miscellaneous Petitions have been filed to condone the delay of 394 days in filing the petition to set aside the abatement caused due to the death of 2nd respondent, to set aside the abatement caused due to the death of the 2nd respondent, and to bring on record respondent Nos.3 to 5 as the legal representatives of the deceased 2nd respondent and rank them as respondent Nos.3 to 5 in the Appeal Suit in A.S.(MD) No.169 of 2024 on the file of this Court.

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



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3. The learned counsel for the 1st respondent and the learned counsel for respondent Nos.3 to 5 have not raised any serious objections to these petitions.

4. Being satisfied with the reasons stated in the affidavits, these Civil Miscellaneous Petitions are allowed.

24-04-2026

Note : *The Registry is directed to carry out necessary amendments in the appeal memorandum and list the main Appeal Suit in the usual course.*

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P.VADAMALAI, J.

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