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Nadiammal Vs Angamuthu

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Court : Chennai

Decided On : Jun-08-2026

Judge : Honourable Mr.Justice R.Sakthivel

Appeal No. : CMP/7936/2026

Appellant : Nadiammal

Respondent : Angamuthu

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2026

CORAM :

THE HON'BLE MR. JUSTICE R.SAKTHIVEL C.M.P.Nos.7936, 7938 and 7939 of 2026 in 1.Nadiammal (died) ...Appellants in all C.M.Ps 2.Arumugam (died) 3.Nadai Ammal 4.Kuppan 5.Govindan 6.Parimala 7.Narayanan 8.Ramachandran 9.Jayaraman ...Petitioners / Proposed parties 3 to 9 / L.Rs of 2nd appellant ...Vs... 1.Angamuthu (died) 2.Dhandapani 3.Kaluvaraya Udaya ...Respondents 1 to 3 / Respondents 4.Anjalai @ Chellam 5.K.Arumugam 6.K.Kuppusamy 7.K.Sekar 8.K.Gnanavel ...Respondents / Legal Representatives of 3rd respondent

Prayer in C.M.P.No.7936 of 2026:- Civil Miscellaneous Petition filed under Section 5 of the Limitation Act, 1963, praying to condone the delay of 544 days in filing the application to set aside the abatement caused on the death of 2nd appellant Arumugam. Prayer in C.M.P.No.7938 of 2026:- Civil Miscellaneous Petition filed under

Order XXII Rule 9 of Code of Civil Procedure Code, 1908, praying to set

aside the abatement caused due to the death of 2nd appellant Arumugam. Prayer in C.M.P.No.7939 of 2026:- Civil Miscellaneous Petition filed under

Order XXII Rule 9 of Code of Civil Procedure Code, 1908, praying to bring on

record the petitioners 3 to 9 herein as legal representatives of the deceased 2 nd appellant Arumugam in the Second Appeal. For Petitioners :Mr.E.Santhosh Kumar For Mr.N.Suresh For R5 & R7 : Mr.K.Muthukumarasamy

COMMON ORDER

Mr.E.Santhosh Kumar, representing Mr.N.Suresh, Counsel on record for the petitioners and Mr.K.Muthukumarasamy, Counsel on record for the Respondent Nos.5 & 7 are before this Court.

2. These petitions have been filed praying to condone the delay of 544

days in filing the application; to set aside the abatement caused on the death of 2nd appellant Arumugam and to bring on record the petitioners 3 to 9 herein as legal representatives of the deceased 2 nd appellant Arumugam in the Second Appeal.

3. This Court has perused the affidavit filed in support of these petitions and being satisfied with the reasons stated therein, these Civil Miscellaneous Petitions are allowed.

4. Accordingly, C.M.P.Nos.7936, 7938 and 7939 of 2026 are allowed

and the Registry is directed to carry out the necessary amendment in the Memorandum of grounds of Appeal. nvi R.SAKTHIVEL,J., nvi C.M.P.Nos.7936, 7938 and 7939 of 2026 in

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