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I.A. Nos.2, 3 and 4 of 2025
in A.S. No.26 of 2022

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THENI

Present : Thiru. Swarnam J. Natarajan, M.L.,
Principal District Judge, Theni

Friday, this the 13th day of February - 2026

I.A. Nos.02/2025, 03/2025 and 04/2025

in

A.S. No.26/2022

C.N.R. No.TNTH01-003135-2022

I.A.No.02/2025 in A.S. No.26/2022:-

T. Murugesan

...Petitioner/Appellant

-Versus-

1. K. Seenivasan

2. K. Thangammal (Died)

3. The Assistant Engineer,

Tamil Nadu Electricity Board,

Lakshmipuram Madhurapuri,

Theni Taluk, Theni District.

4. The President,

Unjampatti Panchayat, Annanji,

Theni Taluk, Theni District.

5. The Tashildar,

Tashildar Office, Theni.

...Respondents/Respondents 1 to 5

6. Nagarathinam

7. Thiruvarangan

...Respondents 6 and 7/

Legal Heirs of 2nd Respondent

I.A.No.03/2025 in A.S. No.26/2022:-

T. Murugesan

...Petitioner/Appellant

-Versus-

1. K. Seenivasan

13.02.2026

Principal District Judge, Theni



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2. K. Thangammal (Died)

3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Lakshmipuram Madhurapuri,
Theni Taluk, Theni District.

4. The President,
Unjampatti Panchayat, Annanji,
Theni Taluk, Theni District.

5. The Tashildar,
Tashildar Office, Theni.

6. Nagarathinam

7. Thiruvarangan

...Respondents/Respondents 1 to 5

...Respondents 6 and 7/
Legal Heirs of 2nd Respondent

I.A.No.04/2025 in A.S. No.26/2022:-

T. Murugesan

...Petitioner/Appellant

-Versus-

1. K. Seenivasan

2. K. Thangammal (Died)

3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Lakshmipuram Madhurapuri,
Theni Taluk, Theni District.

4. The President,
Unjampatti Panchayat, Annanji,
Theni Taluk, Theni District.

5. The Tashildar,
Tashildar Office, Theni.

6. Nagarathinam

7. Thiruvarangan

...Respondents/Respondents 1 to 5

...Respondents 6 and 7/
Legal Heirs of 2nd Respondent



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I.A. No.02/2025, I.A. No.03/2025 and I.A. No.04/2025 in A.S.No.26/2022, these petitions were coming up on 13.02.2026 for final hearing before me in the presence of Thiru. P. Kanagaraj, Advocate for the Petitioners in all petitions and Thiru. R. Jeyabharathi, Advocate for the Respondents 1, 6 and 7 in all petitions and Thiru. R. Gunasekaran, Government Pleader for the Respondents 3 to 5 in all petitions and the 2nd respondent reported dead and after hearing both sides and perusing the documents, the case having stood over for consideration till this day, this Court delivers the following :

COMMON ORDER

I.A.No.02/2025 in A.S. No.26/2022 :-

This is the petition filed under Section 5 of Limitation Act to condone the delay of 589 days in filing the LR's petition for deceased appellant.

I.A.No.03/2025 in A.S. No.26/2022 :-

This is the petition filed by the Petitioner under Order 22 Rule 9 r/w Section 151 of CPC to set aside the abatement.

I.A.No.04/2025 in A.S. No.26/2022 :-

This is the petition filed by the Petitioner under Order 22 Rule 4 of CPC to implead respondents 6 and 7, who are the legal heirs of the deceased 2nd respondent, as respondents 6 and 7 in the main appeal.



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I.A. Nos.02/2025, 03/2025 and 04/2025 are the petitions to condone the delay, set aside abatement and to implead the legal heirs. On the side of the respondents 6 and 7 vakalath filed.

Considering the reasons stated in the application to implead the legal heirs of deceased 2nd respondent, this court is convinced with the reasons stated and as per the judgment laid down by the Hon'ble High Court, the condone delay, set aside the abatement and implead petition have to be considered liberally, in order to implead the proposed parties in the appeal and to hear the matter on merits, this court is inclined to consider the applications. No cost.

I.A.No.02/2025 in A.S. No.26/2022:-

In the result, this petition is allowed. No cost.

I.A.No.03/2025 in A.S. No.26/2022:-

In the result, this petition is allowed. No cost.

I.A.No.04/2025 in A.S. No.26/2022:-

In the result, this petition is allowed. No cost.

Dictated to the Steno-Typist, taken by her in shorthand, transcribed and typed by her with the help of voice recorder, and Microsoft 365, corrected and pronounced by me, in the open court, this the 13th day of February – 2026.

**Principal District Judge,
Theni.**



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*I.A. Nos.2, 3 and 4 of 2025
in A.S. No.26 of 2022*

Principal District Court,
Theni.
Fair/Draft Common Order in
I.A. Nos.2, 3 and 4 of 2025
in A.S. No.26 of 2022
Dated : 13.02.2026