

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CMP No. 13511 of 2025

IN

CMP NO. 19483 OF 2023

IN

SA.SR.No.99121 of 2007

Pongiannan

S/o. Ramasamy, Mekkalathottam Salai,
Emmompoodi Village, Gobichettipalayam.

..Appellant(s)

Vs

1. Karuppasamy (Deceased), Sivasamy

(Deceased) 1. Rukmani,

D/o.Late Karuppasamy,

W/o.Palaniappan,

Kadarai Post,

Nambiyur Taluk,

Erode District.

2. Karuppayal,

D/o.Late Karuppasamy,

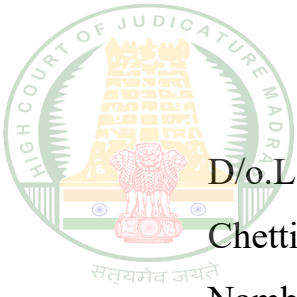
Palappalayam,

Mallipalayam Post,

Nambiyur Taluk,

Erode District.

3. Ananthi,



D/o.Late Ranganathan,
Chettimpatti,
Nambyur Taluk,
Erode District.

4. Vinayagamoorthy,
S/o.Late Sivasamy,
Cart Street, Kedari Post,
Nambyur Taluk,
Erode District.

5. Vijaya Kant,
S/o.Late Sivasamy,
Kedari Post,
Nambyur Taluk,
Erode District.

6. Elakiya,
D/o.Palanisamy,
Kedari Post,
Nambyur Taluk,
Erode District.

..Respondent(s)

For Appellant(s): Mr.M.Nandhakumar

For Respondent(s): Mr.A.R.Balaji



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CMP No. 13511 of 2



Order

This petition has been filed seeking to condone the delay of 778 days in filing the application for set aside the abatement caused due to the death of 2nd respondent of C.M.P.No.19483 of 2023.

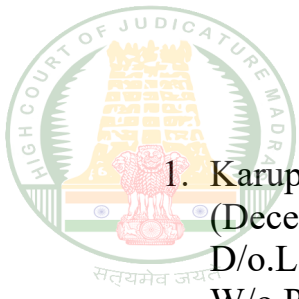
2.The learned counsel for the petitioner would submit that the petitioner could not take steps since he was not aware of the death of the second respondent and the delay had occurred, which is neither wilful nor wanton and hence the delay may be condoned.

3.Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, in the interest of justice, the delay is condoned and this petition is ordered.

22-01-2026

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To



1. Karuppasamy (Deceased), Sivasamy (Deceased) 1. Rukmani,
D/o.Late Karuppasamy,
W/o.Palaniappan,
Kadarai Post,
Nambiyur Taluk,
Erode District.
2. Karuppayal,
D/o.Late Karuppasamy,
Palappalayam,
Mallipalayam Post,
Nambiyur Taluk,
Erode District.
3. Ananthi,
D/o.Late Ranganathan,
Chettiampatti,
Nambiyur Taluk,
Erode District.
4. Vinayagamoorthy,
S/o.Late Sivasamy,
Cart Street, Kedari Post,
Nambiyur Taluk,
Erode District.
5. Vijaya Kant,
S/o.Late Sivasamy,
Kedari Post,
Nambiyur Taluk,
Erode District.
6. Elakiya,
D/o.Palanisamy,
Kedari Post,
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Erode District.



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CMP No. 13511 of 2



T.V.THAMILSELVI J.

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