



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MRS.JUSTICE N. MALA

C.M.P.No.20387 of 2021

in S.A.No.1417 of 2010

WEB COPY

K.S.Moorthy
S/o.K.C.Senniappa Gounder,
No.49, Anguvilas Street,
Gobichettipalayam.

..Petitioner(s)

Vs

1. Shanthi
W/o.Mani,
Pudhusamy Koil St.,
Veerabandi Village,
Gobichettipalayam Town,
Gobichettipalayam Tk And Erode Dt.
2. Karuppusamy
(died)
3. Kalliammal
W/o.Late Karuppusamy,
No.65a, Anguvilas St.,
Veerabandi Village,
Gobichettipalayam, Erode Dt.
4. Angathal
W/o.Late Murugan,
Residing At No.65a,
Anguvilas St.,
Veerabandi Village,
Gobichettipalayam,
Erode Dt.
5. Karthikkumar
S/o.Late Murugan
No.65a, Anguvilas St.,



Veerabandi Village,
Gobichettipalayam, Erode Dt.

6. Chandrasekaran
S/o.Late Murugan
No.39b, Anguvilas St.,
Veerabandi Village,
Gobichettipalayam,
Erode Dt.

..Respondent(s)

Prayer: Civil Miscellaneous Petition filed under Order 22 Rule 4 of Code of Civil Procedure, praying to bring on record the Respondents 3 to 6 as the legal representatives of the deceased 2nd respondent rank, them as the respondents 3 to 6 in the above S.A.No.1417 of 2010 on the file of this Hon'ble Court.

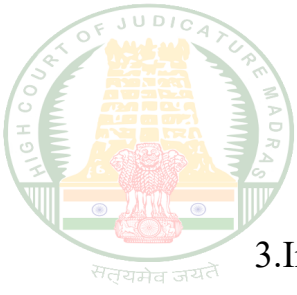
For Petitioner(s): Mr.V.Anandhamoorthy

For Respondent(s): Mr.R.T.Doraisamy
R3, R4, R5 & R6 – No appearance

ORDER

From the cause list, it appears that the notice sent to the third and fourth respondents were refused and notice sent to the sixth respondent was returned as “left India”. In respect of third respondent, tracking sheet has been filed.

2.Registry is directed to print the name of the respondents who have refused notice and verify whether the notice has been served on the third respondent and print the name of the third respondent.



3. Insofar as sixth respondent is concerned, learned counsel for the petitioner seeks further time to serve notice on the sixth respondent. This Court is not inclined to grant any further time since from 02.12.2025 several adjournments have granted. This Court is of the view that no useful purpose will be served by repeatedly adjourning the matter, for service of notice to the sixth respondent, who has admittedly left India. The counsel for the petitioner may well have taken steps for substituted service during the long period of about 7 months. Under these circumstances, this Civil Miscellaneous Petition is dismissed as abated against the sixth respondent.

5. List the matter on 10.08.2026.

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N.MALA, J.

PAM

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