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CMP.Nos.16723, 16724 & 16727 of 2025 in S.A.No.594 of 1993



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP.Nos.16723, 16724 & 16727 of 2025

in

S.A.No.594 of 1993

Lakshmi Bai

... Petitioner /
Appellant in all CMPs

Vs.

1. Rani Bai
- Chinni Bai (Died)
- Sankunthala Bai (Died)
- Ganga Bai (Died)
- M/s. V.G.Kappa Sa & Sons
- Rep. by its Partner, Mr.Kanni Sah, (Died)
2. S.Parvathi Ammal
3. Anbukarasi
4. Munusamy
5. Sankar
6. Selvam
7. Prakash
8. Sekar
9. Baskar Sah
10. Gayathiri

... Respondents /
Respondents in all CMPs

11. Sankar Sah

... Proposed 15th Respondent /
Respondent in all CMPs

PRAYER IN CMP.No.16723 of 2025 : This Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying to condone the delay of 622 days in seeking set aside the abetment caused by the death of the third respondent Mrs.Shakunthala Bai in the above S.A.No.594 of 1993.



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PRAYER IN CMP.No.16724 of 2025 : This Civil Miscellaneous Petition filed under Order XXII Rule 9 (2) of Code of Civil Procedure, 1908, praying to set aside the abatement caused by the death of the 3rd respondent, Mrs. Shakunthala Bai in the above S.A.No.594 of 1993.

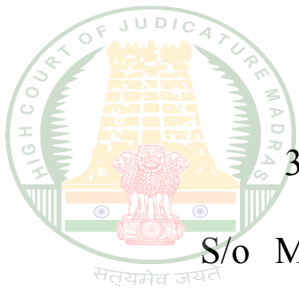
PRAYER IN CMP.No.16727 of 2025 : This Civil Miscellaneous Petition filed under Order XXII Rule 4 of Code of Civil Procedure, 1908, praying to bring Mr.Sankar Sah S/o Mr.Kanni Sah, the legal heirs of the deceased 3rd respondent Mrs.Shakunthala Bai and rank him as 15th respondent in the above S.A.No.594 of 1993.

For Petitioner : Mr.Selvam Soundar
For R2 & R3 : Mr.Pramod Raj
for Ms.Srimathi
For R9 & R11 : Mr.K.Vinoth

COMMON ORDER

CMP.No.16723 of 2025 has been filed to condone the delay of 622 days in seeking set aside the abatement caused by the death of the third respondent Mrs.Shakunthala Bai in the above S.A.No.594 of 1993.

2. CMP.No.16724 of 2025 has been filed to set aside the abatement caused by the death of the 3rd respondent, Mrs. Shakunthala Bai in the above S.A.No.594 of 1993.



CMP.Nos.16723, 16724 & 16727 of 2025 in S.A.No.594 of 1993

3. CMP.No.16727 of 2025 has been filed to bring Mr.Sankar Sah S/o Mr.Kanni Sah, the legal heirs of the deceased 3rd respondent Mrs.Shakunthala Bai and rank him as 15th respondent in the above S.A.No.594 of 1993.

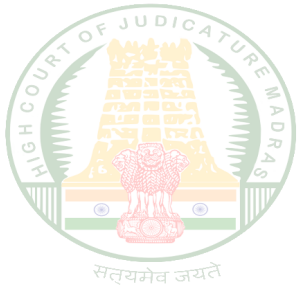
4. Heard Mr.Selvam Soundar, learned counsel on record for the petitioner, Mr.Pramod Raj, representing Ms.Srimathi, learned counsel on record for the respondent Nos.2 & 3 and Mr.K.Vinoth, learned counsel on record for the respondent Nos.9 & 11 and they have no objection for allowing these Petitions.

5. On being satisfied with the reasons stated in the affidavits filed in support of these petitions and in view of no objection having been stated by the learned counsel appearing for the respondents 2, 3, 9 & 11, this Court is inclined to allow these petitions. Accordingly, these civil miscellaneous petitions are allowed without costs.

25.07.2025

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Note: Registry is directed to carry out the amendments in the appeal papers.



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R.SAKTHIVEL, J.

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