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SA NO. 611 of 2017
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-08-2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

S.A.Nos.611 & 612 of 2017

and

C.M.P.Nos.19666, 19667, 19670, 19661, 19671 & 19664 of 2025

and

CMP.Nos.20928, 20925, 18613, 18615 of 2019, 15183 & 15182 of 2017

SA NO. 611 of 2017

E.Selvaraj
S/o.K.V.Elumalai,6th Ward, K.S.Arumugam
Street,Kannankurichi Post,Salem-8,Salem Taluk
Dist and 4 Others

Appellant(s)

Vs

R.Natarajan
S/o.G.Rathinam,Nds Nagar,Dhanam
Illam,Yerikkaral Road,Reddiyur Village,Salem-
4,Salem Taluk Dist

Respondent(s)

SA NO. 612 of 2017

Ramachandran,
S/o.Late Gopal,8th Ward, Kannankurichi
Village,Salem-8, Salem Taluk Dist and 7 Others

Appellant(s)

Vs

R.Natarajan
S/o.G.Rathinam,Nds Nagar,Dhanam
Illam,Yerikkaral Road,Reddiyur Village,Salem-



4, Salem Taluk Dist

Respondent(s)

CMP NO. 19666 of 2025

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E.Selvaraj

S/O.K.V.Elumalai, 6th Ward, K.S.Arumugam Street, Kannankuruchi Post,
Salem - 636 008 Bakkiam (Died), Ramachandran (Died), C. Saratha (Died),
Tamilarasi (Died)

Appellant(s)

Vs

R.Natarajan

S/O.G.Rathinam, NDS Nagar, Dhanam Illam,
Yerikkaral Road, Reddiyur Village, Salem- 636
004. and 7 Others

Respondent(s)

CMP NO. 19661 of 2025

Minor.Karthick

Rep.By his next Friend and Guardian His Father
Ramachandran, 8th Ward, Kannankuruchi Post,
Salem - 636 008
Ramachandran (Died), C.Saratha (Died) and 3
Others

Appellant(s)

Vs

R.Natarajan

S/O.G.Rathinam, NDS Nagar, Dhanam Illam,
Yerikkaral Road, Reddiyur Village, Salem- 636
004. and 6 Others

Respondent(s)

CMP NO. 19664 of 2025

Minor.Karthick

Rep.By his next Friend and Guardian His Father
Ramachandran, 8th Ward, Kannankuruchi Post,
Salem - 636 008
Ramachandran (Died), C.Saratha (Died) and 3
Others

Appellant(s)

Vs

R.Natarajan



S/O.G.Rathinam, NDS Nagar, Dhanam Illam,
Yerikkaral Road, Reddiyur Village, Salem- 636
004. and 6 Others

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CMP NO. 19671 of 2025

Respondent(s)

Minor.Karthick
Rep.By his next Friend and Guardian His Father
Ramachandran, 8th Ward, Kannankuruchi
Post,Salem- 636 008
Ramachandran (Died), C.Saratha (Died) and 3
Others

Vs

Appellant(s)

R.Natarajan
S/O.G.Rathinam, NDS Nagar, Dhanam Illam,
Yerikkaral Road, Reddiyur Village, Salem- 636
004. and 6 Others

CMP NO. 19667 of 2025

Respondent(s)

E.Selvaraj
S/O.K.V.Elumalai, 6th Ward,
K.S.Arumugam Street, Kannankuruchi Post, Salem
- 636 008
Bakkiam (Died), Ramachandran (Died), C. Saratha
(Died), Tamilarasi (Died)

Vs

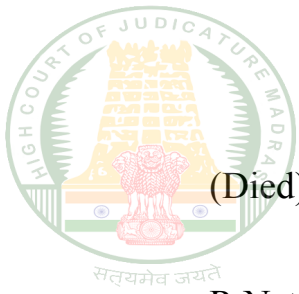
Appellant(s)

R.Natarajan
S/O.G.Rathinam, NDS Nagar, Dhanam Illam,
Yerikkaral Road, Reddiyur Village, Salem- 636
004. and 7 Others

CMP NO. 19670 of 2025

Respondent(s)

E.Selvaraj
S/O.K.V.Elumalai, 6th Ward,
K.S.Arumugam Street, Kannankuruchi Post, Salem
- 636 008
Bakkiam (Died), Ramachandran (Died), C. Saratha



(Died), Tamilarasi (Died)

Appellant(s)

Vs

R.Natarajan
S/O.G.Rathinam, NDS Nagar, Dhanam Illam,
Yerikkaral Road, Reddiyur Village, Salem- 636
004. and 7 Others

Respondent(s)

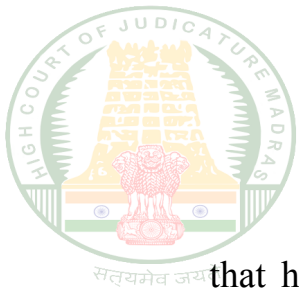
S.A.Nos.611 & 612 of 2017
and CMP.Nos.19666, 19667, 19670, 19661, 19671 & 19664 of 2025

For Appellant(s) : Mr.N.Vijaya Basker
For M/s.Law Vision

For Respondent(s) : Mr.C.Prakasam

COMMON ORDER

The third appellant in Second Appeal No.611 of 2017, who is also the first appellant in Second Appeal No. 612 of 2017, had appeared before this Court on 28.07.2023 and filed an affidavit indicating that he had not instructed to file any appeal. The said affidavit was taken on record by this Court, and the learned counsel appearing for the appellant at that time had sought for an adjournment to get instructions in that regard. Thereafter, the learned counsel who had entered appearance had given change of vakalat, and the appellant is now represented by Mr.N.Vijay Baskar for M/s.Law Vision, learned counsel for the present appellants.

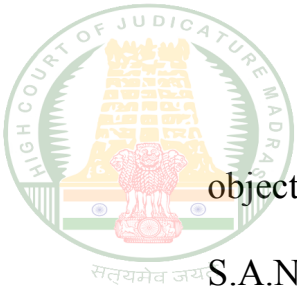


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2. The learned counsel appearing for the appellants would also submit that he had taken out applications in CMP Nos.19667, 19666 & 19670 of 2025 in S.A.No.611 of 2017 and CMP.Nos.19664, 19671 & 19661 of 2025 in S.A.No.612 of 2017 to bring on record the legal heirs of the deceased appellants, including the third appellant in S.A.No.611 of 2017 and the first appellant in S.A.No.612 of 2017. Since they had not approached him, they had not been shown as respondents in the respective applications.

3. It is further to be noted that the third appellant in Second Appeal No. 612 of 2017 is shown to be one Minor Karthick, son of the deceased first appellant. Originally, vakalat had been filed by the deceased first appellant representing the said Minor also. Considering the affidavit filed by the first appellant in S.A.No.612 of 2017, the third appellant could not have also filed the appeal, as he was represented by the deceased first appellant.

4. In such view of the matter, the third appellant in S.A.No.612 of 2017 viz., Minor Karthick, shall stand transposed as 2nd respondent in Second Appeal No.611 of 2017. Similarly, the second and third respondents in CMP.Nos.19664, 19671 & 19661 of 2025 in Second Appeal No. 612 of 2017, for whom, Mr.C.Prakasam, learned counsel, takes notice and has no

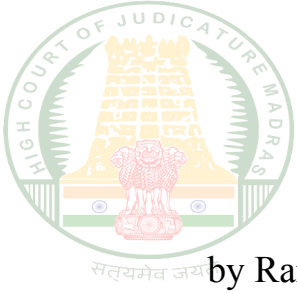


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objection for them to be impleaded as respondents as Respondents 3 and 4 in S.A.No.611 of 2017. Similarly in S.A.No.611 of 2017, the deceased third appellant's Legal Heirs have been shown as respondents 2 to 4 in C.M.P.Nos.19666, 19667 & 19670 of 2025 in S.A.No.611 of 2017, Mr.C.Prakasam, learned counsel, takes notice and also no objection for them to be impleaded as respondents. Therefore, they are impleaded as respondents 2 to 4 in the Second Appeal.

5. As regards to the remaining proposed respondents namely 5 to 8 in CMP.Nos.19666, 19667 & 19670 of 2025 in S.A.No.611 of 2017 and respondents 4 to 7 in CMP.Nos.19664, 19671 & 19661 of 2025 in S.A.No.612 of 2017, notice returnable by four (4) weeks. Private Notice is also permitted.

6. In view of the present order passed, this Court is of the view that, in order to give a quietus to the affidavit filed by the deceased appellant, namely Ramachandran, in both the appeals, no further proceedings shall be initiated.



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7. The Registry is directed to keep the affidavits dated 28.07.2025 filed by Ramachandran in both the Second Appeals, in a sealed cover and preserve the same in the bundles.

8. List the matter after four (4) weeks.

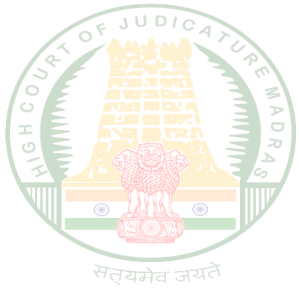
22-08-2025

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Note: Registry is directed to carry out the necessary amendments in the cause title within a period of four weeks.

To

1. R.Natarajan
S/o.G.Rathinam,Nds Nagar,Dhanam Illam,Yerikkaral
Road,Reddiyur
Village,Salem-4,Salem Taluk Dist



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K.KUMARESH BABU, J.

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S.A.Nos.611 & 612 of 2017

22.08.2025