



CMP(MD). No.9961,9962 and 9965 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Thirteenth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice R. KALAIMATHI

CMP(MD). No.9961,9962 and 9965 of 2022
in
SA(MD)No.577 of 2013

J.Jayapandi,

... Petitioner/ Appellant (in all cases)

Vs

1 Pushpaleelavathi (Died) ... Sole respondent(in all cases)

2 A.Sundar, ... 2nd Respondent/
Proposed 2nd Respondent(in all cases)

Prayer in CMP(MD). 9961/ 2022 :-

Civil Miscellaneous petition filed under Section 5 of Limitation Act to condone the delay of 544 days in filing the above application to set aside the abatement caused due to the death of the sole respondent viz., pushpaleelavathi in the above second appeal and pass such further or other orders, as this Court.

Prayer in CMP(MD). 9962/ 2022 :-

Civil Miscellaneous petition filed under Section 5 of Limitation Act to set aside the abatement caused due to the death of the deceased sole respondent viz., Pushpaleelavathi in the above Second Appeal in S.A(MD).No.577 of 2013 and pass such further or other orders, as this Honble Court may deems fit and proper in the circumstances of the case.



CMP(MD). No.9961,9962 and 9965 of 2022

Prayer in CMP(MD). 9965/ 2022 :-

Civil Miscellaneous petition filed under Section 5 of Limitation Act to bring on record the 2nd respondent herein as the legal heirs of deceased sole respondent viz., Pushpaleelavathi and rank him as 2nd respondent in the above Second Appeal in S.A(MD).No.577 of 2013 .

Prayer in SA(MD). 577/ 2013 :

Second Appeal under section 100 of Civil Procedure Code praying this court to prefer this memorandam of Second Appeal against the judgement and decree dated 07/08/2012 passed in AS.No.6 of 2012 on the file of Learned 2nd Additional District Judge, Thoothukudi confirming the judgement and decree dated 19.10.2011 passed in O.S.No.160 of 2010 on the file of the Principal District Munsif-Cum-Judicial Magistrate, Tiruchendur.

ORDER:- This Petition coming on for orders on this day under the caption for “Notice Section default cases” and upon perusing the petition and affidavit filed in support, this court having granted **on or before 04.01.2024**, for compliance of the defects, as condition precedent and the said Advocate, not having complied with the said direction of this court, it is ordered that the Petition do stand dismissed against the Respondent no.2.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/03/2024

Sub Assistant Registrar
(CS-I / II / III / IV)



CMP(MD). No.9961,9962 and 9965 of 2022

TO
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1.The 2nd Additional District Judge,
Thoothukudi.

2.The Principal District Munsif - Cum- Judicial Magistrate,
Tiruchendur.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 13/12/2023

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ORDER

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CMP(MD). No.9961,9962 and 9965 of 2022

in

SA(MD)No.577 of 2013

Giving direction and etc.
as stated within.

RD(26/03/2024) 3P / 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.