



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Sixth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP No.3968 & 3969 of 2004
in
SA NO. 1274 of 2002

T.RAJU

... PETITIONER/APPELLANT

Vs

N.PERUMAL

THANGARAJ (DIED)

1.MOOKEN,

2 MACHAKKALAI

3 KATHAMMAL

...RESPONDENTS/RESPONDENTS

4 THOTHAMMAL @ ALAGAMMAL

5 CHINNAPITCHAI

6 LAKSHMANAN

7 SEENI

8 VELLALTHAI

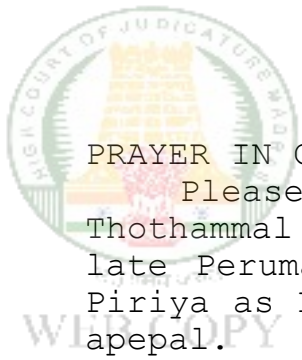
9 MINOR DHANASEKAR

10 MINOR PRIYA

...LRs OF DECEASED RESPONDENTS

(MINOR RESPONDENTS 11 & 12 ARE REPTD BY THEIR
MOTHER & NATURAL GUARDIAN 10TH RESPONDENT)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to set aside the abatement of the above second appeal due to the demise of 2nd respondent Thangaraj



PRAYER IN CMP NO. 3969 of 2004:

Pleased to bring on record the respondents 3 to 7, Kathammal, Thothammal @ Alagammal, Chinnapitchai, Lakshmanan, seeni as L.R of late Perumal and Natchammal @ Vellaithai, Minor. Dhanasekar, Minor Piriya as L.R of Late Thangaraj as respondents 5 to 12 in the above apepal.

PRAYER IN SA No. 1274 of 2002:

Pleased to set aside the judgment and decree dated 29.06.2001 passed in A.S.No. 187 of 1997 on the file of Principal District Judge, Dindigul setting aside the judgment and decree dated 21.11.1997 passed in O.S.No. 795 of 1996 on the file of District Munsif Court, Dindigul and to decree the suit as prayed for.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of and the petitioner not appearing either in person or by an advocate for the petitioner, the court made the following order:-

No representation for the petitioner.

2.This Court by order dated 15.06.2023 ordered fresh notice and private notice to the respondents and also directed the petitioner to pay batta within three days.

3.Today, when the matter taken up for hearing, no representation for the petitioner. The cause list shows that batta has not been paid. Therefore, these applications are dismissed for default.

sd/-
06/07/2023

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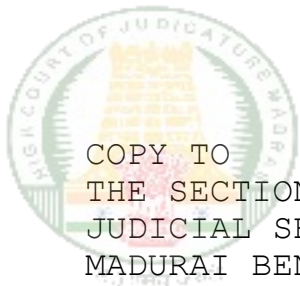
/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AM

TO

1 THE PRINCIPAL DISTRICT JUDGE
DINDIGUL.

2 THE DISTRICT MUNSIF
DINDIGUL.



CMP No.3968



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COPY TO
THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

ORDER
IN
CMP No.3968 & 3969 of 2004
in
SA NO. 1274 of 2002
Date :06/07/2023

PKP/ /SAR- /10.07.2023/ **3P/4C**