



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2017

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP(MD)No.1412 of 2007

and

CMP(MD)No.2 of 2007 and MP(MD)Nos.1 to 3 of 2015

The Special Tahsildar (ADW),
Land Acquisition,
Paramakudi, Ramanathapuram.

... Petitioner in CRP No.1412/2007
and in CMP Nos 1 to 3 of 2015

vs.

Sanku

... Respondent in CRP No.1412/2007
and 1st respondent in CMP Nos 1 to 3 of 2015

C.Thangaraj
Ravichandran

...Respondents 2 to 3 in CMP Nos 1 to 3 of 2015

Petition filed under Article 227 of the Constitution of India, against the judgment and decree dated 17.10.2003 made in L.A.C.M.A.No.33/2000 on the file of the Sub Court, Paramakudi, Ramanathapuram District, praying the same be set aside.

For Petitioner : Mr.V.Muruganandham
Additional Government Pleader

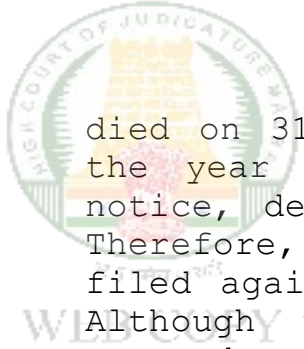
For 2nd Respondent :Mr.S.Chinnaiyan
in MP No.1 to 3 of 2015

ORDER

This Civil Revision Petition has been filed against the judgment and decree dated 17.10.2003 made in L.A.C.M.A.No.33/2000 on the file of the Sub Court, Paramakudi, Ramanathapuram District.

2.MP(MD)Nos.1 to 3 of 2015 have been filed to condone the delay of 3697 days in filing the petition to set aside the abatement caused due to the death of the 1st respondent, to set aside the abatement and to bring on record the legal representatives of the deceased 1st respondent and rank them as respondents 2 and 3.

3.In the petition to implead the legal representatives of the deceased 1st respondent, it has been averred that the 1st respondent



died on 31.03.2005, but the revision petition has been filed in the year 2007 against the deceased 1st respondent and without notice, delay has been condoned and revision has been numbered. Therefore, it is clear that the present revision itself has been filed against the dead person which is not maintainable in law. Although the petitioner has averred that death of the 1st respondent came to their knowledge after 2009, there is no justifiable reason assigned for filing MP(MD)Nos.1 to 3 of 2015 in the year 2015 with inordinate delay of 3697 days. Hence, entertaining MP(MD)Nos.1 to 3 of 2015 at this juncture is not proper. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, MP(MD)Nos.1 to 3 of 2015 are dismissed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge,
Paramakudi,
Ramanathapuram District.

COPY TO:

The Section Officer,
V.R Section, Madurai Bench of Madras High Court, Madurai.

+2cc to M/S.S.JEYACHANDRAN, Advocate SR.No.81616
+1cc to Special Government Pleader, SR.No.81789

bala

MAS/GT/SAR3:20.10.2017:2P-6C

CRP (MD) No.1412 of 2007
05.10.2017