



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

Thursday, the Seventh day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) Nos.10279 & 10280 of 2017

IN

CRP(MD) No.393 of 2006

1 JEYAKUMAR(DIED)
2.J.MALATHI
3 J.AKILA
4 J.SANGEETHA
5 J.MONISHA
6 J.BHUVANESWARI

... PETITIONERS 2 TO 6/ PROPOSED
PETITIONERS 2 TO 6 IN BOTH PETITIONS

Vs

1 KADUKACHALAM
2 STATE OF TAMILNADU
REP.BY ITS DISTRICT COLLECTOR,
THANJAVUR DISTRICT, THANJAVUR.
3 DHINAMANI
4 PADMINI
5 PERUMAL CHETTIAR
6 PERAMAYEE

... RESPONDENTS/RESPONDENTS
IN BOTH PETITIONS

Prayer in CMP(MD). 10279/ 2017 in CRP(MD). 393/ 2006 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 188 days in filing the restoration petition.

Prayer in CMP(MD). 10280/ 2017 in CRP(MD). 393/ 2006 :

To condone the delay of 819 days in seeking to set aside the abatement caused by the death of the Sole Petitioner in the above CRP.

Prayer in CRP(MD). 393/ 2006 :

Civil Revision Petition is filed under Article 227 constitution of India against the order and decree dated 17.02.2006 and made in I.A.No.102 of 2005 in A.S.No.27 of 2005 on the file of Sub Court, Pattukkottai.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.MUTHUKAMATCHI, Advocate for the petitioner in both petitions and of M/S.D.R.MURUGESAN, Advocate for



R1 and M/S.S.DEENADHAYALAN, Advocate for R3 & R4 in both petitions the court made the following order:-

Heard both sides.

2. There is an inordinate delay of 819 days to set aside the abatement and therefore, this Court feels that the delay can be condoned on payment of costs to the learned counsel appearing for the respondents. Accordingly, the delay is condoned and this petition is ordered on condition that the petitioner shall pay a sum of Rs.1000/- (Rupees one thousand only) within a period of one week from the date of receipt of a copy of this order, failing which the petition shall automatically be dismissed without further reference to this court. The said amount shall be equally shared.

3. In view of the above, the delay in filing the restoration petition is ordered and the Civil revision Petition is restored to file. The Registry is directed to carry out necessary amendment.

sd/-

07/12/2017

/ TRUE COPY /

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

TO

THE SUBORDINATE JUDGE ,
PATTUKKOTTAI.

ORDER IN

CMP(MD) Nos.10279 & 10280 of 2017
IN CRP(MD) No.393 of 2006

Date :07/12/2017

MKV-CM-VR-SAR 2/12.12.2017/2P-2C