



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

Friday, the Tenth day of February Two Thousand Seventeen  
PRESENT

**The Hon`ble Ms.Justice V.M.VELUMANI**

CMP(MD) No.12481 of 2016

IN

CRP(MD) No.2427 of 2015

1 MR.N.KANDASAMY  
2 MRS. KALIAMMAL  
3 MR.K.NATRAYAN

..PETITIONERS/PETITIONERS

Vs

1 DR.M.A.M. RAMASAMY (DEAD)  
2 KUMARARANI MRS. MEENA MUTHIAH ..RESPONDENTS 1& 2/RESPONDENT 1& 2  
**2<sup>nd</sup> Respondent represented by her power of Attorney**  
Mr.A.Subramanian  
3 M.A.M.R. MUTHIAH ..RESPONDENT/PROPOSED 3RD RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order condoning the delay of 236 days in filing an application to set aside the abatement caused due to the death of 1st respondent in the civil revision petition and thus render justice.

**PRAYER IN CRP(MD) No.2427 of 2015**

To pass on order setting aside the order dated 03/08/2015 passed in IA NO. 330 of 2014 in OS NO. 122 of 2010 by Additional Sub Court, Karur thereby allowing the Civil Revision petition with costs and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S S.ANAND CHARNDRASEKAR, For SARVABHAUMAN ASSOCIATES, Advocate for the petitioner and of Mr.S.JAYAPRAKASH for RR 2 and 3 on behalf of the Respondents the court made the following order:-

This petition is filed to condone the delay of 236 days in filing a petition to set aside the abatement caused due to the death of the first respondent.

2.Mr. Jayaprakash, learned counsel filed vakalat for respondents 2 and 3 and they have no objection to allow this petition.

3.Recording the no objection made by the learned counsel appearing for the respondents 2 and 3, the delay is condoned on payment of cost of Rs.500/-(Rupees Five Hundred Only) to M/s.Rojavanam Homeless and Aged Care Centre, Melur Road, Uthangudi, Madurai within a period of one week from today.

sd/-

10/02/2017



1.ADDITIONAL SUBORDINATE JUDGE,  
KARUR.

2.THE OFFICER IN CHARGE  
M/S. ROJAVANAM HOMELESS AND AGED CARE CENTRE,  
MELUR ROAD, UTHANGUDI,MADURAI.

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ORDER  
IN  
CMP (MD) No.12481 of 2016  
IN  
CRP (MD) No.2427 of 2015  
Date :10/02/2017

trp  
ms/rsk/sar1/13.2.2017/2p.3c